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 OUTLINE PLANNING PERMISSION

To: c/o Hepher Dixon Ltd
62 High Street
Stony Stratford
Milton Keynes MK11 1AQ

Application No: 03/00826/OUT/JL

Applicant: AMEC Developments Ltd

~~READING BOROUGH COUNCIL as local planning authority GRANT OUTLINE planning permission~~ for the following development:

Proposal: Proposed redevelopment to include demolition of existing swimming pool complex and erection of residential development of 89 units comprising 67 private dwellings and 22 affordable dwellings

At: Central Swimming Pool Battle Street Reading RG1 7NU

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: 12 OCTOBER 2004

David Gworkey

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 three months of receipt of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 6372. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; And

(b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

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

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

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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

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(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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

BUILDING REGULATIONS

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Reading BOROUGH COUNCIL

Application At: Central Swimming Pool Battle Street Reading RG1 7NU

Application No: 03/00826/OUT

CONDITIONS & REASONS

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of seven years from the date of this outline permission. Reason: to prevent an accumulation of unimplemented planning permissions and in accordance with the provisions of Section 91(2) of the Town & Country Planning Act 1990.

2. The development to which this permission relates must be started either before:-
a) the expiration of nine years from the date of granting this outline permission; or
b) the expiration of two years from the date of approval of the last reserved matter, whichever is the later. The development shall be carried out in accordance with the approved plans.

Reason: to prevent an accumulation of unimplemented planning permissions and in accordance with the provisions of Section 91(2) of the Town & Country Planning Act 1990.

3. The approval hereby granted relates only to the details provided on plan 29/AP/002/rev C. Reason: as some plans were changed and to clarify which plans are approved.

4. Before any development commences, plans and particulars of all reserved matters not particularised in this outline application; namely detailed plans and drawing showing the design and external appearance and the landscaping of the site, shall be submitted to and approved in writing by the local planning authority and shall be carried out as approved. Reason: to ensure a satisfactory form of development and in accordance with the provisions of Article 4 of the Town & Country Planning (General Development Procedure) Order 1995.

5. Pursuant to the above condition 4 requiring the approval of the landscaping for each phase of the development as a Reserved Matter a management plan along with plans and schedules detailing both hard and soft landscaping the details which shall comply with the landscape Strategy referred to in condition 5 above, shall be submitted to and approved in writing by the local planning authority before the commencement of any development within the relevant phase. 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

David Gworthy

Date: 12 OCTOBER 2004

Head of Planning and Transport DB

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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.

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(a) In the case of such a building or premises as are mentioned in subsection (1)(a)
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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 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.

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landscaping works shall be carried out in accordance with the approved details before any of the buildings within the relevant phase are 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 those buildings or the completion of the development, whichever is the sooner. Reason: in the interests of ensuring that the redevelopment of this site enhances the visual local environment; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

6. No development shall take place until samples of all materials including all external fixtures, fittings, window frames, doors and mortar colours to be used in the construction of the external surfaces of this development and details of window and doorway reveals 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: in the interests of the visual appearance of the building and the area; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

7. In conjunction with condition 4 of this consent, samples of the materials to be used in the construction of the external surfaces of this development shall be displayed on site for inspection by and approval by Planning Applications Committee. Reason: in the interests of the visual appearance of the building and the area; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

8. In connection with the implementation of this permission the demolition and construction works including the delivery of materials to the site 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; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

9. Before any development works are commenced, details shall be submitted to and approved in writing by the local planning authority making provision for a construction method statement for the development. The Construction Method Statement shall show details of:

a Parking of vehicles of site personnel, operatives and visitors
b Loading and unloading of plant and materials
c Storage of plant and materials used in constructing the development

David Gwoffry

Date: 12 OCTOBER 2004

Head of Planning and Transport DR

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d Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary

e Times, routes and means of access into 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

f Hours of construction

g A scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public viewing

h A scheme for recycling waste resulting from the construction programme

i The method of demolition of the existing structures and concrete hardstanding

j Measures to be used for the suppression of dust and dirt throughout the course of construction.

k The methods of supervision to ensure that workers have knowledge of the method statement and to ensure compliance with the method statement.

l A "hotline" number shall be provided for the use of residents of Shoesmiths Court in the case of problems being experienced from demolition and construction works on the site. The phone line will be provided, managed and problems dealt with by a person or persons to be nominated by the developer and shall operate throughout the entire development period.

The Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority. Reason: In the interest of safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

10. Development shall not commence until accesses have been constructed in accordance with details to be submitted to and approved in writing by the local planning authority and in compliance with the requirements of the local planning authority for work carried out within the public highway. Reason: In the interests of road safety and the convenience of road users; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

11. No dwellings shall be occupied until the roads serving it have been provided in accordance with the approved drawings to the satisfaction of the Local Planning Authority. Reason: In the interests of road safety and the convenience of road users; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

12. A temporary parking area and turning space to the satisfaction of the Local Planning Authority shall be provided and maintained, concurrently with the development of the site, in a position to be agreed, until such times as the proposed carriageway has been constructed. Reason: In the interests of road safety and the convenience of road

David Gwoffry

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(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

Of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.

(2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted –

(a) In the case of such a building or premises as are mentioned in subsection (1)(a)

(i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and

(ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;

(b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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

BUILDING REGULATIONS

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users; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

13. No dwelling shall be occupied until vehicle parking space has been provided in accordance with the approved plan. Reason: In the interests of road safety and the convenience of road users; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

14. There shall be no restriction on the use of the car parking spaces allocated for the affordable units as shown on the approved plan by occupiers of, or visitors to, any of the buildings hereby permitted; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), TRN1 (A Balanced Transport Strategy), HSG2 (Affordable Housing) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

15. The bicycle storage shown adjacent to the affordable flats on the approved drawings shall be lockable, covered and equipped with secure Sheffield cycle stands and shall be made ready for use before occupation of any of the dwellings to which they relate. 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; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN2 (Housing in the Town Centre) and TRN1 (A Balanced Transport Strategy) of the Reading Borough Local Plan (1998).

16. Within each reserved matters application details showing how the floor layouts, including internal and external circulation spaces, entrances, toilet accommodation, parking areas and other relevant facilities for the relevant phase will be made fully accessible to all disabled persons shall be submitted to and approved in writing by the local planning authority. The approved works shall be completed in accordance with the approved details prior to the occupation of the development and retained thereafter. Reason: in the interests of the amenities of future occupants and visitors; and in order to accord with Policies KEY 1 (Equality of Access to Development), HSG 10 (Housing Provision for People with Disabilities), HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

17. Details submitted in respect of the reserved matters shall make provision for at least 4% of the total number of residential units to be constructed so as to be wheelchair compliant. The submitted details shall specifically identify which units are to be constructed to these standards. Thereafter the development to be completed and retained in accordance with the approved plans. Reason: In order to provide suitable living accommodation for wheelchair users; and in order to accord with Policies KEY 1 (Equality of Access to Development), HSG 10 (Housing Provision for People with

Date: 12 OCTOBER 2004

David Gworthy

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 three months of receipt of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 6372. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended;

And

(b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

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

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

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

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

(c) Of a building intended for the purposes of a university college or college, or of a school or hall of a university;

(d) Of a building intended for the purposes of an institution within the PCFC funding sector; or

Of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.

(2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted –

(a) In the case of such a building or premises as are mentioned in subsection (1)(a)

(i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and

(ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;

(b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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

BUILDING REGULATIONS

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

Reading BOROUGH COUNCIL

Disabilities), HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

18. Prior to commencement of construction details of proposed refuse storage facilities to include recycling facilities and ventilation details, and a management plan to cover the removal of rubbish from the site shall be submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details and the facilities maintained thereafter. Reason: in the interests of ensuring adequate facilities are in place for the storage of refuse; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN2 (Housing in the Town Centre) of the Reading Borough Local Plan (1998).

19. Prior to the first occupation of the development hereby approved the on-site provision of secure storage for cycles shall be provided in accordance with the approved plans or in the case of the bicycle storage shown adjacent to the affordable flats on the approved drawings they shall be lockable, covered and equipped with secure Sheffield cycle stands. The approved facilities shall thereafter be maintained for use at all times. Reason: in the interest of the amenity of residents and to reduce reliance on the private motor car in accordance with the Council's Balanced Transport Strategy; and in order to accord with Policies TRN1 (A Balanced Transport Strategy), HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN2 (Housing in the Town Centre) and TRN 5 (Cycle Parking) of the Reading Borough Local Plan (1998).

20. No floodlighting or other form of external lighting scheme shall be installed unless it is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting, that is so installed, shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance. Reason: In the interests of visual amenity and/or highway safety; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

21. Prior to commencement of development details of how service vehicle deliveries to the site will be managed shall be submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details unless otherwise agreed in writing by the local planning authority and the approved details conformed to thereafter. Reason: in the interests of the safety and convenience of all highway users; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

Date: 12 OCTOBER 2004

David Gworthy

Head of Planning and Transport DR

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NOTES

APPEALS

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within three months of receipt of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 6372. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; And

(b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

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

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

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

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

(c) Of a building intended for the purposes of a university college or college, or of a school or hall of a university;

(d) Of a building intended for the purposes of an institution within the PCFC funding sector; or

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 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:

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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

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22. No more than one parking space to be allocated for each residential unit and each allocated car parking space to be used solely by residents of the approved scheme or their visitors. The spaces shall at no time be used for the parking of commuter or commercial vehicles. Reason: in the interests of ensuring adequate provision is made for car parking on the site; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

23. Prior to the commencement of construction details of measures for the control and management of car parking areas shall be submitted to and approved in writing by the local planning authority. The development shall take place in accordance with the approved details and the details adhered to thereafter. Reason: in order to ensure an effective scheme of controls and management of car parking on the site in the interests of highway safety; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

24. The car parking provision shown on the approved drawings shall be provided and made ready for use prior to first occupation of the part of the development hereby permitted to which it relates. Reason: in the interests of ensuring adequate provision is made for car parking on the site and the safety and convenience of all highway users; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

25. The areas identified on the approved drawings for the parking of vehicles shall be constructed and marked out 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; and in order to accord with Policies HSG5 (Residential Design Standards) and HSG9 (Location of Residential Development) of the Reading Borough Local Plan (1998).

26. Prior to commencement of development details of proposed tree planting including management replacement arrangements to be submitted to and approved in writing by the local planning authority. Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment and that any trees planted as part of the landscaping scheme are replaced in accordance with that scheme; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CUD 14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

27. No development shall take place within the site until the applicant, or their agents or successors in title have secured the written approval of the local planning authority for

Date: 12 OCTOBER 2004

David Gworkey

Head of Planning and Transport

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(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.

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  (ii) Premises which are deemed to be such premises for the purposes of that Act; or
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  (i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and
  (ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;

(b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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

BUILDING REGULATIONS

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a full scheme of archaeological works and investigation. Reason: to ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning); and in order to accord with Policy CUD 12 (Development Impact on Archaeological Remains) of the Reading Borough Local Plan (1998).

28. Archaeological investigation of the site to be carried out in accordance with approved scheme of works referred to in condition 27 above. Reason: to ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning); and in order to accord with Policy CUD 12 (Development Impact on Archaeological Remains) of the Reading Borough Local Plan (1998).

29. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow him to observe the excavations and record items and finds of interest. Reason: to ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning); and in order to accord with Policy CUD 12 (Development Impact on Archaeological Remains) of the Reading Borough Local Plan (1998).

30. Details of the existing ground levels and proposed slab levels for each building shall be included within each application for reserved matters approved and shall thereafter be implemented in accordance with the approved details unless these are revised with the prior written approval of the Local planning authority. Reason: To enable the local planning authority to properly assess the impact of the development.

31. Details of site levels, including a detailed survey to a scale of not less than 1:1250, showing contours of one metre intervals, related to Newlyn Datum and large scale sections, where appropriate, illustrating all principal physical features of the site, shall be submitted to and approved in writing by the local planning authority, before any development within the relevant phase is commenced. These details shall clearly distinguish between existing and proposed levels and physical features and shall indicate the position of proposed roads and buildings. Reason: to enable the local planning authority to properly assess the impact of the proposed development on the natural features of the site.

32. The heights of the buildings in terms of the number of floors in each development block shall not exceed that stated on plan ref 294/AP 002 Revision C.

Reason: To ensure that the impact of the development in relation to the natural features of the site and nearby buildings is as demonstrated; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN

David Gwyther

Date: 12 OCTOBER 2004

Head of Planning and Transport DR

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 **three** months of receipt of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 6372. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; And

(b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

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

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

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

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

(c) Of a building intended for the purposes of a university college or college, or of a school or hall of a university;

(d) Of a building intended for the purposes of an institution within the PCFC funding sector; or

Of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.

(2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted –

(a) In the case of such a building or premises as are mentioned in subsection (1)(a)

(i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and

(ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;

(b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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

BUILDING REGULATIONS

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2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

33. The width of the pedestrian and vehicular access from Battle Street to the underground car parking area and turning head to be no less than detailed on the approved plan. Reason: In the interest of residential amenity and highway safety; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

34. Details of any barrier to and management of the vehicular access to the basement to be submitted to and approved in writing by the local planning authority prior to the commencement of development. The works shall be implemented in accordance with the approved details and be fully operational prior to the first occupation of the buildings. Reason: In the interest of residential amenity and highway safety; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

35. A security management plan for the site, including pedestrian access into the residential blocks and hotel from the car park, roads and footways and the provision of CCTV within the site shall be prepared and implemented in consultation with the Thames Valley Police, Crime Prevention Design Advisor. The plan to be submitted to and approved in writing by the local planning authority prior to the commencement of construction. The approved details and measures shall thereafter be adhered to at all times with any alterations to be subject to the prior written approval of the local planning authority. Reason: in the interests of safety and security for prospective residents and their property and hotel staff and other users of the site; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

36. 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 telecommunications equipment shall be erected or installed on any external surface of the development without the prior written consent of the local planning authority. Reason: to protect the visual character and appearance of the area; and in order to accord with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

37. 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 satellite dishes shall be erected or installed on any external surface of the development without the prior written consent of the local planning authority. Reason: to protect the visual character and appearance of the area; and in

David Gworthy

Date: 12 October 2004

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

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(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.

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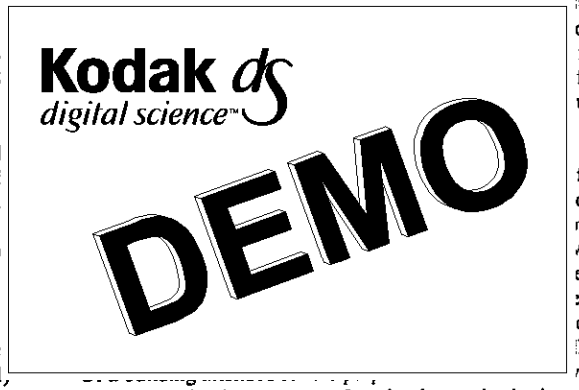

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Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

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BUILDING REGULATIONS

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order to accord with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

38. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site for each residential block to be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed, in accordance with the approved plan, and 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; and in order to accord with Policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development) and CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

39. Lifts within the buildings hereby approved are to be provided in accordance with the approved plans for each of the residential blocks and are to be available for use prior to the respective occupation of block A, block B and the hotels and thereafter retained for use at all times. Reason: in the interests of the amenities of future occupants and visitors; and in order to accord with Policies KEY 1 (Equality of Access to Development), HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), HSG10 (Housing Provision for People with Disabilities), CEN 2 (Housing in the Town Centre) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

INFORMATIVES

1. The level of car parking on the site has been considered carefully in relation to the availability of sustainable travel choices which place less reliance on the private car. The site is located close to local facilities, with frequent public transport services on nearby roads. There should be an assumption that the occupants of these flats will not be issued with any residents parking permits. The Developer should advise future occupants accordingly

2. The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

3. A Building Regulations Application is required for this application.

4. The Council's Highways section should be contacted at 2-4 Darwin Close, Reading, RG2 0RB, tel.: 0118 939 0204, to agree the access construction details and to grant a license before any work is carried out within the highway. A formal application should be made allowing at least 4 week's notice to obtain details of underground services on the applicants` behalf.

David Gworkey

Date: 12 OCTOBER 2004

Head of Planning and Transport DS

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Reading BOROUGH COUNCIL

5. A Section 106 agreement relates to this site

6. It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

7. In accordance with Section 34 of the Environmental Protection Act and the Duty of Care in respect of waste, any waste generated on site is to be stored in a safe and secure manner in order to prevent its escape or its handling by unauthorised persons.

8. Thames Water recommend that the applicants consult with the Thames Water Development Control Department (Tel. 01923 898 072) who will determine the ability of the local sewers to dispose of foul & surface water.

9. In reaching the above decision, the Local Planning Authority has taken account of the following Development Plan policies and proposals:- Reading Borough Local Plan (1998):- KEY1 (Equality of Access to Development), KEY3 (The Role of Development in Improving the Town), HSG2 (Affordable Housing), HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), HSG10 (Housing Provision for People with Disabilities), TRN1 (A Balanced Transport Strategy), TRN 5 (Cycle Parking), TRN11A (Location of Development), TRN11B (Development and Traffic), CEN2 (Housing in the Town Centre), CUD 12 (Development Impact on Archaeological Remains), CUD14 (Standards of Design in Development) and LEI3 (The Provision and Improvement of Leisure and Recreation Facilities).

Date: 12 OCTOBER 2004

David Gworthy

Head of Planning and Transport DB

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NOTES

APPEALS

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within three months of receipt of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 6372. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) That there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; And

(b) That the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

(b) Of any of the following (being in each case, premises in which persons are employed to work) –
  (i) Office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;
  (ii) Premises which are deemed to be such premises for the purposes of that Act; or
  (iii) Factories as defined by section 175 of the Factories Act 1961;

(c) Of a building intended for the purposes of a university college or college, or of a school or hall of a university;

(d) Of a building intended for the purposes of an institution within the PCFC funding sector; or

Of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.

(2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted –

(a) In the case of such a building or premises as are mentioned in subsection (1)(a)
  (i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and
  (ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;

(b) In the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) In the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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

BUILDING REGULATIONS

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