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Borough Council
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**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**APPLICATION TO VARY/REMOVE CONDITION UNDER SECTION 73 OF THE TOWN
AND COUNTRY PLANNING ACT 1990**

To: Lucas Design & Construction
11a West Street
Reigate
RH2 9BL

Application No: 172274
Application type: Variation of Condition

Applicant: Lucas Design & Construction

READING BOROUGH COUNCIL as Local Planning Authority hereby **GRANT** planning permission for the development as described below:-

Proposal: Refurbishment of 3 Castle Crescent to provide 5 residential dwellings including internal and external alterations. Demolition of existing outbuildings including existing coach house and garage. Development of 8 residential dwellings along eastern boundary of the site. All associated works include vehicular and pedestrian access, parking, landscaping and bin store provision without complying with Condition 27 of Planning Permission 151924/FUL.

At: 3 Castle Crescent Reading RG1 6AQ

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: 25 May 2018

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Head of Planning, Development
& Regulatory Services

Application At: 3 Castle Crescent Reading RG1 6AQ

Application No: 172274

Application type: Variation of Condition

CONDITIONS & REASONS

1. The development hereby permitted shall begin within three years from the date of this planning permission.

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. DISCHARGED

No development (except for the approved demolition works) shall take place until details of the materials to be used in the construction of the external surfaces of the development including all external fixtures, fittings, window frames 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: as no details have been submitted and in the interests of the appearance and character of the building and the area. In accordance with Policy CS7 (Design and the Public Realm) and Policy CS33 (Protection and Enhancement of the Historic Environment).

3. No dwelling shall be occupied until the accesses are brought into use with appropriate signs erected in accordance with the approved plan and drawing SIGN-01. Thereafter the accesses and signs shall be maintained in good condition.

Reason: In the interests of road safety in accordance with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.

4. No dwelling shall be occupied until space for vehicle parking and turning 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 vehicles enter and leave the highway in forward gear in



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accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12.

5. Notwithstanding the provisions of the current Town and Country Planning General Permitted Development Order, the garage accommodation on the site shall be kept available for the parking of vehicles at all times.

Reason: To ensure the Local Planning Authority's vehicle parking standards are met in accordance with Core Strategy Policy CS24.

6. Secure, covered and lockable bicycle storage spaces shall be provided and equipped with secure Sheffield cycle stands in accordance with a layout to be submitted to and approved by the Local Planning Authority before occupation of the dwellings to which they relate.

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies in accordance with Core Strategy Policies CS23 and CS24.

7. The residential units hereby approved shall not be occupied until the Council has been notified in writing of the full postal address of the units. Such notification shall be addressed to the Council's Planning Manager quoting the planning application reference specified in this Decision Notice.

Reason: In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the new residential units hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12.

8. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential units hereby approved the prospective occupier/transferee shall be informed of the prohibition on entitlement to a car parking permit. All material utilised for advertising or marketing the residential units for letting or sale shall make it clear to prospective tenants and occupiers that no parking permit will be issued by the Council to occupiers of the residential units.

Reason: In order that the prospective occupiers are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to



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the already high level of on street car parking in the area in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12.

9. DISCHARGED

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority to provide for: (A) The parking of vehicles and site operatives and visitors - to be shown on a Plan not less than 1:500.

(B) Loading and unloading of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1:500

(C) Storage of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1:500

(D) The erection and maintenance of security hoarding /scaffolding if required.

(E) Wheel washing facilities

(F) Measures on site to control the deposition of dirt / mud on surrounding roads during construction.

(G) Footpath Closures /Road Closures needed during construction

(H) Traffic Management needed during construction.

(I) Times, routes and means of access into and from the site for construction traffic and delivery vehicles (including the removal of waste from the site and methods of preventing deposition of materials on the public highway).

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: These details are needed to be agreed before development starts in the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety in accordance with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.

10. No dwelling hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted and approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: in the interests of providing adequate drainage within the site in a sustainable way in accordance with NPPF Paragraph 103, Core Strategy Policy CS1 and Sites and Detail Policies document Policy DM1.

11. DISCHARGED

No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved



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by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. The details shall include:

- i. a timetable for its implementation, and
- ii. a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: These works are needed before development starts in the interests of providing adequate drainage within the site in a sustainable way in accordance with NPPF Paragraph 103, Core Strategy Policy CS1 and Sites and Detail Policies document Policy DM1.

12. DISCHARGED

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include: (i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

Reason: A phase 1 investigation submitted with the application has identified potential pollutant linkages which must be investigated further to ensure that there is no risk to future users of the site due to localised historic contamination. In accordance with Policy CS34 - Pollution and Water Resources.

13. DISCHARGED

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred



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option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: These works are needed before development starts to ensure that site is suitable for its end use and does not create undue risks to occupiers of the site or surrounding areas and to comply with Policy CS34 - Pollution and Water Resources.

14. The remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to construction of the development.

Reason: These works are needed before development starts to ensure that site is suitable for its end use and does not create undue risks to occupiers of the site or surrounding areas and to comply with Policy CS34 - Pollution and Water Resources.

15. In the event that contamination not previously identified is found at any time when carrying out the approved development, development must be halted on that part of the site and it must be reported in writing to the Local Planning Authority.

Following that an assessment of the nature and extent of contamination must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas and to comply with Policy CS34 - Pollution and Water Resources.

16. DISCHARGED

No development shall take place until a detailed land gas site investigation has been carried out by a competent person to fully and effectively characterise the nature and extent of land gas and its implications. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work and shall then proceed in strict accordance with the measures approved.



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Reason: These works are needed before development starts to ensure that it does not create undue risks to occupiers of the site or surrounding areas due to the presence of land gas and to comply with Policy CS34 (Pollution and Water Resources).

17. No development shall take place until a scheme showing how the development is to be protected against the possibility of land gas has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented and completed before the development is first occupied and those measures incorporated into the development shall thereafter be retained unless the Local Planning Authority agrees otherwise in writing.

Reason: These works are needed before development starts to ensure the development is suitable for its end use and the wider environment, does not create undue risks to occupiers of the site or surrounding areas due to the presence of land gas and to comply with Policy CS34 (Pollution and Water Resources).

18. The land gas remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to any part of the accommodation hereby approved being occupied.

Reason: To ensure the development is suitable for its end use and the wider environment, does not create undue risks to occupiers of the site or surrounding areas due to the presence of land gas and to comply with Policy CS34 (Pollution and Water Resources).

19. DISCHARGED

No development shall take place before a scheme has been submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise and dust emanating from the site during the demolition and construction phase. Thereafter, the use shall not commence until the approved scheme has been fully implemented.

Reason: These details are needed before development starts to protect the occupants of nearby residential properties from noise and dust during the development of the site and to comply with Policy CS34 (Pollution and Water Resources).

20. The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.



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Reason: In the interests of the amenities of nearby residents and to comply with Policy CS34 (Pollution and Water Resources).

21. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

Reason: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policies CS34 (Pollution and Water Resources) and CS2 (Waste Minimisation) of the Reading Borough LDF Core Strategy 2008.

22. DISCHARGED

Works shall not commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to the Local Planning Authority. Thereafter mitigation measures approved in the licence shall be maintained in accordance with the approved details. Should the status of the site change and the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the Local Planning Authority detailing the reasons for this assessment and this report is to be approved in writing by the Local Planning Authority.

Reason: These works are needed before development starts to ensure that bats, a European Protected Species, are not adversely impacted upon as a result of the development and to comply with Policy CS36 (Biodiversity and Geology).

23. No development shall take place within the site until the applicant, or their agents or their successors in title, has secured and implemented a programme of archaeological work (which may include more than one phase of work) in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

Reason: These works are needed before development starts to ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the Borough and to comply with Policy CS33 (Protection and Enhancement of the Historic Environment).

24. No development shall take place until full details of both hard and soft landscaping and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:



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- (a) hard surfacing materials; and
- (b) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and
- (c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate.
- (d) Tree pit specifications.
- (e) Boundary treatments.

Reason: These works are needed before development starts in the interest of ensuring that the landscaping of the development enhances the visual local environment. RBLDF Core Strategy Policy CS7 - Design and the Public Realm.

25. The hard and soft landscaping works, including the boundary treatments, shall be carried out in accordance with the approved details. The works shall be carried out before any of the development is occupied or in accordance with a timescale which has been agreed in writing with the local planning authority. Any trees or plants which within a period of 5 years from planting 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 and to comply with RBLDF Core Strategy Policy CS7 - Design and the Public Realm

26. Before any of the development is occupied a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the local planning authority. The schedule shall include details for the arrangements for its implementation.

Reason: To ensure that the landscaping is maintained in the interests of the visual amenities of the area.

RBLDF Core Strategy Policy CS7 - Design and the Public Realm

27. VARIED

The development hereby permitted shall be carried out in accordance with the following approved plans:

EB-01, EB-02, EB-03, EB-04, SIGN-01, EH-01, EH-02, EH-03, EH-04 (approved under 151924)

Drawing No: PL002 - Proposed Site Plan

Drawing No: PL003 - Proposed Plans

Drawing No: PL004 - Proposed Plans



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Received 18th December 2017

Drawing No: PL007 - Proposed Elevations Showing Outline of Approved Scheme

Received 31st January 2018

Drawing No: PL011 - Proposed Section AA Through Rooflights

Drawing No: PL012 - Proposed Section BB Through Rooflights

Drawing No: PL013 - Landscape Plan

Received 23rd May 2018

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

28. 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 affixed to any of the dwellings hereby permitted.

Reasons: in the interests of the character and appearance of the proposed dwellings, the setting of nearby listed buildings and the wider conservation area.
Policy CS7 (Design and the Public Realm) Policy CS33 (Protection and Enhancement of the Historic Environment)

INFORMATIVES

1. Before any planning consent is implemented an agreement under Section 278 of the Highways Act, 1980, will be required with respect to works affecting the existing highway. The applicants should contact the Transport Development Control Section at Civic Centre, Reading, RG1 7TD telephone: 0118 937 3949, to discuss arrangements for this.

2. Any works affecting the highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should be made aware that compliance with this document is mandatory and licences to work on the highway will only be issued if the requirements contained within it are met. A copy can be obtained at <http://www.reading.gov.uk/ltp/General.asp?id=5X9452-A782F664> (within the Transport Strategy area of the Transport Section on the Reading Borough Web Site).

3. The occupiers of the residential units will not be entitled to an on- street car parking permit in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of



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neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12. The site is located close to local facilities, with frequent public transport services on nearby roads. The 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.

4. For further information about construction and demolition nuisance law the applicant is referred to:

<http://www.reading.gov.uk/article/2563/Construction--Demolition>

5. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.

6. The applicant is advised that there is an existing Section 106 Agreement dated 1st November 2016 made between Royston William Brown and Reading Borough Council (under planning permission 151924/FUL) which applies to the development authorised by the new Planning Permission 172274/VAR.

7. The following conditions have been discharged:

Condition 2 - Application Ref: 180302

Condition 9 - Application Ref: 171714

Condition 11 - Application Ref: 172196

Condition 12 - Application Ref: 171697

Condition 13 - Application Ref: 171697

Condition 16 - Application Ref: 171697

Condition 19 - Application Ref: 171714

Condition 22 - Application Ref: 172233

Conditions 24, 25 and 26 are pending consideration under Application Ref: 180169

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NOTES

APPEALS TO THE SECRETARY OF STATE

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

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

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

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

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

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

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

Purchase Notices

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