Reading
BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE ORDER 1995)

APPLICATION FOR FULL PLANNING PERMISSION

To: c/o The Keen Partnership
Mr C Keen
The Courtyard
Edinburgh Road
Reading
RG30 2UA

Application No: 04/00540/FUL/SJH

Applicant: Lukmore Sahana Ltd

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

Proposal: Revised Description: Redevelopment of club buildings and 2 houses to form 1 house, 26 apartments, new club and lodge room with external extraction unit (Partially retrospective, following planning consent 02/01264/FUL for redevelopment of RAOB Club, Annex and 2 houses, to provide 25 apartments, 1 house and new club.)

At: 5-9 Blakes Cottages And 99-105 Kings Road Reading

Subject to such conditions and for such reasons as may be attached

OTHER STATUTORY CONSENTS MAY BE REQUIRED
PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

David Gwoffry

Date: 24.09.04

Head of Planning and Transport DB

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 on a form which is obtainable from the Planning Inspectorate, 3/26 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

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

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

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

BERKSHIRE ACT 1986 – Section 32

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

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

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

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

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

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

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

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HAZARDOUS WASTE AND MATERIALS

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

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

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

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

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

BUILDING REGULATIONS

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

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Application At: 5-9 Blakes Cottages And 99-105 Kings Road Reading

Application No: 04/00540/FUL

CONDITIONS & REASONS

1. The development to which this permission relates shall be carried out in accordance with the approved plans and details and completed in its entirety before the building(s) are occupied, except as may be subsequently agreed in writing by the local planning authority. Reason: to ensure the completion of the development in accordance with the approved plans and details before occupation of the building(s) takes place and to ensure that the quality of design is not compromised by partial completion.

2. This development shall be carried out in accordance with the submitted drawings
   7266-02-PL 01D Ground Floor Plan (Proposed)
   7266-02-PL 02B First Floor Plan (Proposed)
   7266-02-PL 03B Second Floor Plan (Proposed)
   7266-02-PL 04B Third Floor Plan (Proposed)
   7266-02-PL 05A Fourth Floor Plan (Proposed)
   7266-02-PL 06A Fifth Floor Plan (Proposed)
   7266-02-PL 07A Roof Plan (Proposed)
   7266-02-PL08Indicative Landscape Elevation
   7266-02-119H South & East Elevation (Proposed)
   7266-02-120P North & West Elevation (Proposed)
   7266-02-121H Internal Elevations (Proposed)
   7266-02-122D Landscaping
   7266-02-106F Third Floor Plan - Wheelchair Compliant Unit
   deposited with the Local Planning Authority on 26th July and 26th August 2004 unless otherwise agreed in writing with the Local Planning Authority. Reason: For the avoidance of doubt and to secure an harmonious form of development in accordance with adopted Reading Borough Local Plan Policy CUD14.

3. The landscaping proposals identified on plan ref: 7266-02-PL 01D and 7266-02-122D shall be completed in accordance with the approved details during the first planting season (ie. November 2004 to March 2005) after the date of this consent. Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment in accordance with adopted Reading Borough Local Plan Policy CUD14.

4. The landscaping maintenance programme identified on plan ref: 7266-02-PL 01D and 7266-02-122D shall be implemented in accordance with the approved details. Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment in accordance with adopted Reading Borough Local Plan Policy CUD14.

5. If within a period of five years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, it is removed, uprooted, destroyed,

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dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation. Reason: to ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

6. The external ventilation and extraction details hereby approved shall be completed in accordance with the approved details prior to the first occupation of the development and retained thereafter. The approved equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the approved use continues. The external brickwork of the extraction flue shall match the brickwork and detailing of the main building. Reason: In the interests of visual amenity and residential amenity in accordance with adopted RBLP Policy HSG5 and CUD14.

7. The bin storage areas hereby approved shall be completed in accordance with the approved details prior to the first occupation of the development and retained thereafter. Reason: To ensure that adequate bin storage is provided for the residential and commercial uses hereby approved in accordance with adopted Reading Borough Local Plan (1998) Policy HSG5 & CUD14.

8. The obscured glazing identified on plan ref: 7266-02-120P and 7266-02-121H (ie. all glazing to a maximum height of 1500mm above finished floor level) shall be fitted in accordance with the approved details to the satisfaction of the Local Planning Authority prior to the first occupation of the development hereby approved. The obscured glazing shall be retained thereafter. Reason: In the interests of securing neighbouring residential amenity in accordance with adopted RBLP Policy HSG5.

9. Details of any external lighting on the site (to include type and luminance) shall be submitted to and approved in writing by the local planning authority prior to installation. The approved lighting shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its prior written consent to the variation. Reason: to protect the appearance of the area and local residents from light pollution in accordance with the aims of adopted RBLP Policy CUD14.

10. The cycle storage areas hereby approved shall be installed in accordance with the approved details to the satisfaction of the Local Planning Authority prior to the first occupation of the development and retained thereafter. Reason: To ensure that adequate cycle storage is provided for the residential and commercial uses hereby approved in accordance with adopted Reading Borough Local Plan (1998) Policy TRN5.

11. The car parking provision shown on the approved drawings shall be provided and made ready for use prior to the first occupation of the development hereby permitted. 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 in accordance with adopted RBLP Policy TRN13.

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12. The parking spaces shall be retained thereafter for the parking of vehicles by RAOB Members, residents of the approved scheme and their visitors only. 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 in accordance with adopted RBLP Policy TRN13.

13. No more than one parking space shall be allocated to each residential unit hereby approved. 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 in accordance with adopted RBLP Policy TRN13.

14. A minimum of 1 disabled parking bays shall be provided and kept available for use at all times by occupiers and their visitors of the wheel chair compliant residential units. Reason. In the interests of providing an adequate level of parking for disabled residents in accordance with adopted RBLP Policies KEY1, TRN13 and TRN15.

15. Prior to the occupation of this development the applicant shall submit to the Local Planning Authority for approval (i) a car park management plan and (ii) details of a transport information pack for residents which will be distributed to residents once approved by the LPA. The management plan shall be implemented in accordance with the agreed information. Reason: To ensure that the development is provided with adequate parking facilities to reduce the likelihood of roadside parking which would be a danger to other road users and to encourage travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's transport policies.

16. Lifts shall be provided in accordance with the approved plans and shall be made available for use prior to the first occupation. The approved lifts shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the approved use continues. Reason: In the interests of the amenities of future occupants and visitors and in accordance with the Council's policies (namely adopted RBLP Policy KEY1 and HSG10) and practice in respect of access for disabled persons

17. A minimum of 1 residential unit shall be constructed and retained as fully wheel chair compliant as detailed on the approved plans. Reason: In order to provide suitable living accommodation for wheelchair users in accordance with adopted RBLP Policies KEY1 & HSG10.

18. 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. Reason: to protect local residents from unreasonable disturbances from works connected with implementing this permission.

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19. Deliveries to the commercial premises shall be restricted to the hours of 08.00 to 18.00 Mondays to Saturdays, and 10.00 to 16.00 on Sundays and Bank or Statutory Holidays. Reason: In the interests of the amenities of adjoining residents.

20. The ground and first floor accommodation identified for club use shall be used as a social club by the RAOB Club and for no other purposes unless otherwise agreed in writing with the Local Planning Authority on submission of a planning application (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless otherwise agreed in writing with the Local Planning Authority on submission of a planning application. REASON: To enable the Local Planning Authority to exercise control over the use of the premises in the interests of regulating and alternative kinds of D2 activities which could have an adverse effect upon the amenities of nearby residents and the character of the area.

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 applicant is advised that all works to which this permission relates must be carried out strictly in accordance with the plans, drawings and other relevant supporting material submitted as part of this application and hereby approved. The local planning authority must be immediately advised of any proposed variation from the approved documents and the prior approval in writing of the Council must be obtained before any such works are carried out on the site. Failure to comply with this advice may render those responsible liable to enforcement proceedings which may involve alterations and/or demolition of any unauthorised building or structures and may also lead to prosecution.

3. 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.

4. Before any planning consent is implemented an agreement under Section 142 of the Highways Act 1980, will be required with respect to planting affecting the existing highway. The applicants should contact the Councils Highways section at 2-4 Darwin Close, Reading, RG2 0RB, telephone 0118 939 0669, to discuss arrangements for this.

5. A Section 106 agreement relates to this site which includes a requirement for financial contributions towards: Education, Leisure/Recreation, RUAP & Affordable Housing. A

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full copy of the S106 legal agreement is available on the Public Register held at Reading Borough Council.

6. The applicant is advised that a separate application for advertisement consent may be required for any proposed signage for the RAOB Club.

7. 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), TRN1 (A Balanced Transport Strategy), TRN11A (Location of development), TRN11B (Development and Traffic), CEN2 (Housing in the Town Centre), CEN10 (Recreation, Entertainment and Leisure Facilities), COM9 (Community Facilities), CUD12 (Development Impact on Archaeological Remains), CUD14 (Standards of Design in Development) and LEI3 (The Provision and Improvement of Leisure and Recreation Facilities).

8. You are advised to contact the Consumer Standards Team of Environment Department in order to ensure that all regulations, licensing, etc. is carried out in order to comply with the requirements of the Food Safety (General Food Hygiene) Regulations 1995.

9. You are advised to contact the Consumer Standards Team of Environment Department in order to ensure that all regulations, licensing, etc. is carried out in order to comply with the requirements of the Health and Safety at Work Act 1974.

10. The applicant is reminded that the works (ie. new footways) in the public highway will need to be agreed with RBC under S.278 of the Highways Act

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