



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

APPLICATION FOR APPROVAL OF RESERVED MATTERS

To: c/o Broadway Malyan
3 Weybridge Business Park
Addlestone Road
Weybridge
Surrey
KT15 2BW

Application No: 04/00859/REM/AD
Outline Application No: 02/01439/OUT

● Applicant: George Wimpey West London Ltd

READING BOROUGH COUNCIL as local planning authority APPROVE the following Reserved Matters THE SITING, DESIGN, EXTERNAL APPEARANCE and LANDSCAPING in respect of the following development.

Proposal: Residential development comprising 165 dwellings - application for reserved matters of landscaping, siting, design and external appearance pursuant to Outline Planning Permission 02/01439/OUT.

At: Electricity Board Depot Amersham Road Caversham Reading

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

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

Date: 30th September 2004

David Gwosdy

Head of Planning and Transport *DB*

Application At: Electricity Board Depot Amersham Road Caversham Reading

Application No: 04/00859/REM

CONDITIONS & REASONS

1. Reading Borough Council, as local planning authority, APPROVED the details of the following reserved matters:-
Siting, Design, External Appearance and Landscaping as shown on drawing Nos: 23241 PL: (02)101, (02)102, (02)103, (02)104, (02)105, (05)101, (05)102, (05)103, (05)105, (05)106, (05)110, (05)111, (05)112, (05)113, (05) 114, (04)101, (04)102, (03)101, (03)102, (03)103, (03)104, (03)105, (03)106, (03)110, (03)111, (03)113, (03)114, (03)115, (03)116, (03)117, (03)120, (03)121 ;ISO352-L-001rev.G, ISO352-L-002rev.G, ISO352-B-003rev.F, ISO352-B-004rev.F, ISO352-E01rev.J, ISO352-E02rev.G which were submitted pursuant to the conditions imposed in Outline Planning Permission, Application No: 02/01439/OUT granted on 29 September 2003. Reason: for the sake of clarity.
2. The development shall be designed and constructed in accordance with the details submitted within the Flood Risk Assessment (Compiled by RPS, Rev C March 2004). Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with Policy WAT7 of the Reading Borough Local Plan, Policy EN3 of the Berkshire Structure Plan 1995 and Policy EN6 of the Berkshire Structure Plan Deposit Draft, March 2003.
3. There shall be no raising of existing ground levels on the site other than that agreed as part of the flood compensation scheme. Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with Policy WAT7 of the Reading Borough Local Plan, Policy EN3 of the Berkshire Structure Plan 1995 and Policy EN6 of the Berkshire Structure Plan Deposit Draft, March 2003.
4. No spoil or materials shall be deposited or stored on that part of the site lying within the area of land liable to flood. Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with Policy WAT7 of the Reading Borough Local Plan, Policy EN3 of the Berkshire Structure Plan 1995 and Policy EN6 of the Berkshire Structure Plan Deposit Draft, March 2003.
5. Compensatory flood storage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before the development commences. Reason: To alleviate the increased risk of flooding that would otherwise be caused by a reduction in flood storage capacity in accordance with Policy WAT7 of the Reading Borough Local Plan, Policy EN3 of the Berkshire Structure Plan 1995 and Policy EN6 of the Berkshire Structure Plan Deposit Draft, March 2003.

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6. Surface water source control measures shall be carried out in accordance with the details submitted within the Flood Risk Assessment (Compiled by RPS, Rev C March 2004) the detailed design of which to be approved in writing by the Local Planning Authority before development commences. Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policy WAT7 of the Reading Borough Local Plan, Policy EN3 of the Berkshire Structure Plan 1995 and Policy EN6 of the Berkshire Structure Plan Deposit Draft, March 2003.
7. No dwelling shall be occupied until the roads/private drive serving it and turning facilities have been provided in accordance with the approved drawings to the satisfaction of the Local Planning Authority. Reason: In the interests of road safety in accordance with Policy HSG5 of the Reading Borough Local Plan.
8. No dwellings shall be occupied until vehicle parking spaces have been provided in accordance with the approved plan. The spaces shall thereafter be kept available for parking at all times and shall remain unallocated other than the spaces designated on the approved plans as parking for the disabled which relate to the Wheelchair Housing Units. Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy HSG5 of the Reading Borough Local Plan.
9. The covered bicycle storage spaces shown on the approved drawings shall be provided and equipped with secure Sheffield cycle stands before occupation of the dwellings to which they relate. Reason: To encourage travel by sustainable alternatives to driving a motor car in accordance with Policies TRN1 and TRN5 of the Reading Borough Local Plan.
10. Details of the method of construction of the access road in the locations where it passes under the canopy of trees protected by Tree Preservation Order shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and implemented in accordance with the approved details. Reason: to minimise the impact on the root system of all retained trees in accordance with Policies HSG5 and NE5 of the Reading Borough Local Plan.
11. Prior to commencement of development, details of controlled gates into the two communal garden areas, to the parking area to the rear of units 152-156, and to the footpath between flats 15-20 and 21-26 (including details of signage to indicate no through pedestrian route via this gate) , shall be submitted to and approved in writing by the Local Planning Authority. The controlled gates (and signage referred to above) shall be implemented in accordance with the approved details prior to first occupation of any of the dwellings hereby approved. Reason: in the interests of maintaining the security of the site in accordance with Policy HSG5 of the Reading Borough Local Plan.
12. Prior to commencement of development, details of the internal layout of the proposed Wheelchair Housing Units shall be submitted to and approved in writing by the Local

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Planning Authority. The Wheelchair Housing Units shall be implemented in accordance with the approved details prior to first occupation of any of the Wheelchair Housing Units. Reason: in the interests of meeting the housing needs of disabled people in accordance with Policies HSG5 and HSG10 of the Reading Borough Local Plan.

13. The measures outlined in the submitted 'Checklist for Good Environmental Building (rev.3)' shall be implemented, and an EcoHomes assessment shall be carried out to achieve a pass rating (details, including authentication, to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and then implemented in accordance with the approved details prior to first occupation of any of the dwellings hereby approved). Reason: In the interests of promoting sustainable development principles in accordance with Policy HSG5 of the Reading Borough Local Plan.
14. Prior to commencement of development, details of measures to ensure that any walls or fencing within or around the boundary of the site are permeable to flood water shall be submitted to and approved in writing by the Local Planning Authority. The walls and fencing shall be implemented in accordance with the approved details prior to first occupation of any of the dwellings hereby approved. Reason: To prevent obstruction to the flow and storage of flood water, with a consequent increased risk of flooding in accordance with Policy WAT7 of the Reading Borough Local Plan, Policy EN3 of the Berkshire Structure Plan 1995 and Policy EN6 of the Berkshire Structure Plan Deposit Draft, March 2003.
15. Prior to commencement of development details of a motorcycle barrier to the path running through the open space to the north of Block E shall be submitted to and approved in writing by the Local Planning Authority. The motorcycle barrier shall be implemented in accordance with the approved details prior to first occupation of any of the dwellings hereby approved. Reason: in the interests of pedestrian safety, residential amenity and maintaining the security of the site in accordance with Policy HSG5 of the Reading Borough Local Plan.
16. 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 extensions to any of the houses hereby approved, no walls or fences within or around the boundary of the site other than those shown on the approved plans and details, and no side windows in units 10, 31, 43, 73, 131, 135, 150, 156, shall be constructed. Reason: as unrestricted development or various minor operations to or around the dwelling could have a serious impact on adjoining properties and the area in general together with the need to prevent obstruction to the flow and storage of flood water, and should therefore be controlled in accordance with Policies HSG5 and WAT7 of the Reading Borough Local Plan, Policy EN3 of the Berkshire Structure Plan 1995 and Policy EN6 of the Berkshire Structure Plan Deposit Draft, March 2003..

INFORMATIVES

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1. Culverting, damming, infilling or diverting of a watercourse requires the prior written approval of the Local Authority under the Public Health Act 1936, and the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water resources Act 1991. The Environment Agency seeks to avoid this, and its consent for such works will normally be withheld.
2. The developers are advised to seek Secured By Design Accreditation and to liaise with the Crime Prevention Design Advisor (CPDA) accordingly (address: Thatcham Police Station, 20 Chapel Street, Thatcham, Berkshire, RG18 4QL).
3. A Section 106 Agreement relates to this site.
4. The Reserved Matters Proposal is acceptable in planning terms and is in accordance with policies CUD 14 (Standards of Design in Development), HSG2 (Affordable Housing), HSG 5 (Residential Design Standards), HSG 9 (Location of Residential Development), WAT7 (Development in the Flood Plain), NE 5 (Trees, Hedges and Woodlands), NE6 (Protecting Wildlife Habitats and Natural Features on or Adjoining Development Sites) of the Reading Borough Local Plan; Policy EN3 (Reducing the Risk of Flooding) and LD1 (Sustainable Development) of the Berkshire Structure Plan, 1995; Policy EN6 (Prevention of Flooding) of the Berkshire Structure Plan Deposit Draft, March 2003.
5. 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.
6. The proposal is submitted in accordance with Conditions 1 and 3 of Outline permission, application number 02/01439/OUT. The applicant should be aware that all other conditions from that consent still apply. It should be noted that in relation to condition 32 of Outline Consent 02/01439/OUT although a 'Soft and Hard Landscape Maintenance' schedule (compiled by AAP Landscape Architects, February 2004) was submitted, this has not been approved as there are amendments required relating to the timing of tree works and the requirement for Council approval of any future works to trees covered by Tree Preservation Order.

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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.