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 Montagu Evans
Premier House
44-48 Dover Street
London W1S 4AZ

Application No: 03/00783/FUL/SJH

Applicant: Lukmore (Urban Solutions) Reading

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

Proposal: Demolish existing. Residential development (of 5 and 9 storeys) including 77 units (34x1, 37x2 and 6x3 beds) together with 445 sq.m of class A1(retail)/A3(restaurant) use at gf level and 59 car parking spaces (at lower ground).

At: 105-121 Queens Road And 4-10 Kennet Street 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 Gworthy

Date: 29th September 2003

Head of Planning and Transport DG

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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 six 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

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(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

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Reading BOROUGH COUNCIL

Application At: 105-121 Queens Road And 4-10 Kennet Street Reading

Application No: 03/00783/FUL

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which the permission was granted. Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91(1) of the Town & Country Planning Act 1990.

2. This development shall be carried out in accordance with the submitted drawings ref: 1918/001Rev B, 1918/002Rev C, 1918/003Rev D, 1918/004Rev B, 1918/005Rev B, 1918/006Rev B, 1918/007Rev B, 1918/008Rev B, 1918/009Rev B, 1918/010Rev C , 1918/011Rev C, 1918/012Rev C, 1918/013Rev C, 1918/014Rev B, 1918/015Rev C, 1918/016Rev C , 1918/017Rev B deposited with the Local Planning Authority on 1st July 2003 and 25th September 2003 unless otherwise agreed in writing with the Local Planning Authority. Reason: For the avoidance of doubt

3. Full details of bin storage areas (including ventilation and management) for all uses hereby approved shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. Development shall be acrried out in accordance with the agreed information and made available prior to the first occupation of the development. Reason: To ensure that adequate bin storage is provided for the residential and commercial uses hereby approved

4. Prior to the commencement of development details of the provision of secure cycle storage and ancillary facilities for each residential block and the commercial unit shall be submitted to and approved in writing by the local planning authority. The storage facilities shall be provided in accordance with the approved details and made ready for use prior to the first occupation. The storage 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.

5. Before any works of conversion or development commence a scheme for limiting the transmission of noise between each residential unit of accommodation and/or any other part of the building which is not exclusively used as a unit of accommodation shall be submitted to and approved in writing by the local planning authority. Sound insulation provided shall be not less than that standard detailed in the Building Regulations 1991 Document E. All works must be completed and tested by the developer to comply with the approved

David Gworthy

Date: 29th September 2003

Head of Planning and Transport DB

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(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.

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HAZARDOUS WASTE AND MATERIALS

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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.

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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.

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specification before any of the units of accommodation are occupied. Reason: to secure an acceptable scheme for noise attenuation to protect future occupants from unreasonable noise disturbance emanating from adjoining accommodation.

6. Details of suitable ventilation and filtration equipment for the commercial use shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The equipment shall be installed in accordance with the agreed information and made ready for use prior to the occupation of the commercial use. Reason: To ensure that adequate provision is made for the ventilation of the commercial use which does not impinge on the residential amenity of neighbouring residents or the external design of the building hereby approved.

7. A 'security management plan' for the building hereby approved shall be prepared in consultation with the Thames Valley Police Crime Prevention Design Advisor and submitted in writing for approval by the Local Planning Authority prior to the commencement of development. The details of the management plan shall be implemented in accordance with a timetable to be agreed prior to the occupation of the development. Reason: To ensure that the proposed mix of uses are compatible whilst ensuring the amenity of residents.

8. 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.

9. Lifts shall be provided in accordance with the approved plans for each of the residential blocks and shall be made available for use prior to the first occupation of each block and thereafter retained for use at all times. Reason: In the interests of the amenities of future occupants and visitors and in accordance with the Council's policies and practice in respect of access for disabled persons.

10. A minimum of 4 residential units 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.

11. The pedestrian route through the site as shown on the approved plans shall be maintained free from obstruction at all times. Reason: In the interests of the amenities of future occupants and visitors and in accordance with the Council's policies and practice in respect of access for disabled persons.

12. 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

David Gworthy

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Head of Planning and Transport DB

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consent of the local planning authority. Reason: to protect the visual character and appearance of the area.

13. Nothwithstanding the provisions of Class C and E of Schedule 2 Part 3 to the Town _ Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the A3 (restaurant) use hereby approved shall not be converted to an A2 (financial services) use unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. Reason: To enable the Local Planning Authority to exercise control over the use of the premises in the interests of regulating any alternative kinds of retail which could have an adverse effect upon the vitality and viability of the town centre.

14. The use of the A3 (restaurant) hereby permitted shall be restricted to that of a restaurant with no hot food takeaway facility. Reason: In the interests of protecting residential amenity

15. Provision shall be made on-site for the installation and subsequent emptying of litter bins and such provision shall be approved in writing by the local planning authority before the commercial use hereby permitted commences. Reason: to ensure that adequate facilities are provided for the collection and disposal of litter likely to be generated by the use.

16. The bar area within the A3 (restaurant) shall not exceed 10% of the total floor area as indicated on the approved plans. Reason: to protect the amenities of the area and to enable the Local Planning Authority to control the use of the building.

17. The A3 (restaurant) unit hereby approved shall not be used for the preparation or sale of food and drink outside the hours of 08:00 and 23:00 Monday to Saturday and 08:00 and 22:30 on Sundays and Bank Holidays. Reasons: In the interests of amenity for the occupants of the neighbouring residential units.

18. No outdoor tables or outdoor sound equipment shall be provided on site without the prior written approval of the Local Planning Authority. Reason: In the interests of protecting residential amenity

19. No development shall take place until samples of all materials (including all external fixtures, brick and render detailing, balcony detailing, fittings, window frames, glazing 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: To secure a harmonious form of development

20. In conjunction with the materials condition (above), samples of the materials to be used in the construction of the external surfaces of each element of the development shall be displayed on site for inspection and approval by the

David Gworthy

Date: 29th September 2003

Head of Planning and Transport DB

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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 –

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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

(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.

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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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the network infrastructure has sufficient capacity to cope with the additional demand

27. Before any development or demolition 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
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 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.

28. Prior to the commencement of any demolition work on site, a detailed demolition management statement shall be submitted to and approved in writing by the local planning authority and shall include details of restricted hours of working on site; parking of vehicles of site personnel, operatives and visitors; delivery, loading and unloading of plant and materials; treatment of all pedestrian routes and highways; times, routes and means of access to the site for construction vehicles and delivery vehicles and methods for the prevention of the deposition of materials on the public highway; method of demolition of the existing structures and hard standing; and details of the disposal of demolition materials. Reason: In the interest of protecting residential amenity during the demolition phase

David Gworthy

Date: 29th September 2003

Head of Planning and Transport DB

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(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 six 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

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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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Reading BOROUGH COUNCIL

Planning Applications Committee. The samples shall remain on site until the written approval of the local planning authority has been given. Reason: in the interests of the visual appearance of the building and the area

21. There shall be no alterations to or deviations from the finished floor levels and finished building heights as detailed on the approved plans without the prior written agreement of the local planning authority. Reason. To ensure that the impact of the development in relation to the natural features of the site and nearby buildings is as demonstrated.

22. No external vents, ducting or plant shall be installed without the prior written approval of the Local Planning Authority. Reason: in the interest of protecting the visual appearance of the building

23. Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority (following consultation with the Environment Agency) before development commences. The development shall then proceed in strict accordance with the measures approved. Reason: To enable the Local Planning Authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment

24. The development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority (following consultation with the Environment Agency). The piling shall thereafter be undertaken only in accordance with the approved details. Reason: The site is potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer.

25. The construction of the foul and surface water drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority (following consultation with the Environment Agency & Thames Water) before the development commences. Reason: To prevent pollution of the water environment and the increased risk of flooding

26. Development shall not be commenced until details of the water infrastructure plans have been submitted to, and approved by, the Local Planning Authority in consultation with Thames Water. No works which result in the connection to the existing water supply from the site shall be commenced until the off-site network reinforcements referred to above have been completed. Reason: To ensure that

David Gworthy

Date: 29th September 2003

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 six 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.

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Reading BOROUGH COUNCIL

29. 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.

30. No materials produced as a result of the site development or clearance shall be burnt on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress. Reason: in the interests of protecting nearby occupants from unnecessary pollution caused by the development.

31. No demolition shall take place within the site until a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The works required should include the recording of all standing buildings to RCHM level II and a 10% field evaluation post demolition. Reason: To ensure that the archaeology of the site is adequately recorded

32. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. Reason: To ensure the Local Planning Authority to exercise adequate control over any development which would affect the area of archaeological interest

33. 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 the archaeology of the site is adequately recorded

34. Details of any external lighting on the site (to include type and luminanace) 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.

35. Construction of the development hereby approved shall not commence until there has been submitted to and approved in writing by the local planning authority a scheme for both hard and soft landscaping. The submitted details shall include any pedestrian and vehicle circulation areas, roof terraces, surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc) and

Date: 29th September 2003

David Gworkey

Head of Planning and Transport DB

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41. A minimum of four 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.

42. Prior to the commencement of construction, details showing how the floor layouts, including internal and external circulation spaces, entrances, toilet accommodation, parking areas and other relevant facilities for the development 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. Reason: in the interests of the amenities of future occupants and visitors and in accordance with the Council's policies and practice in respect of access for disabled persons.

43. None of the 59 parking spaces hereby approved shall be allocated for the use of the ground floor commercial unit without the prior written consent of the Local Planning Authority. Reason: In order to promote alternative modes of travel to the private car

44. 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

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. A Building Regulations Application is required for this application.

3. The Council's Highways section should be contacted at 2-4 Darwin Close, Reading, RG2 0RB, telephone: 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 Gworthy

Date: 29th September 2003 Head of Planning and Transport DB

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(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 six 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

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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.

(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

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

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

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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 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

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Reading
BOROUGH COUNCIL

4. Before any landscaping works are undertaken on the public highway a planting license under Section 142 of the Highways Act, 1980, will be required. The developer should contact the Council's 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

6. The applicant is advised that a separate application for advertisement consent will be required for any proposed signage.

7. 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.

8. The Environment Agency advise that the water table is likely to be above the level of the proposed underground basement in this area. Large underground structures constructed below the water table may act as an obstruction to groundwater flows. Consequently, a building-up of groundwater levels may occur on the up-gradient side of such structures. Any drainage systems proposed for such structures should also be capable of allowing groundwater flows to bypass the structure without any unacceptable change in groundwater levels in the area. It is particularly important that the development does not cause groundwater flooding problems within other buildings in the area.

9. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. If there is an existing discharge consent the applicant should ensure that any increase in volume is permitted under the present conditions.

10. 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.

11. 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

12. 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

David Gworthy

Date: 29th September 2003

Head of Planning and Transport DG

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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), TRN11A (Location of Development), TRN11B (Development and Traffic), RET1 (Development Outside Existing Shopping Centres), CEN2 (Housing in the Town Centre), CEN4 (Town Centre Shopping Area), CUD4 (Setting of Listed Buildings), CUD7 (New Development in Conservation Areas), CUD14 (Standards of Design in Development) and LEI3 (The Provision and Improvement of Leisure and Recreation Facilities).

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