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: Twigg Brown
C/o David Hersey / Clive Breese
41 Paradise Walk
London
SW3 4JL

Application No: 02/00841/FUL

Applicant: London And Continental Investments

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

Proposal: Demolition of former ABC cinema & Boars Head Public House on Friar Street, & Shoesmiths Court in Merchants Place. Redevelopment to form two hotels (one 182 bed, one 179 bed), with 112 flats and 25 car parking spaces.

At: Shoesmiths Court And 25-26A Friar 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

Date: 31 March 2003

David Gworthy

Head of Planning and Transport

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

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
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(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.

Reading BOROUGH COUNCIL

Application At: Shoesmiths Court And 25-26A Friar Street Reading

Application No: 02/00841/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. Prior to the commencement of construction of each residential block and both hotels, samples of all materials including all external fixtures, fittings, window frames and mortar colours to be used in the construction of the external surfaces of this development and details of window and doorway reveals shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason: in the interests of the visual appearance of the building and the area.

3. In conjunction with condition 2 of this consent, 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 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

4. 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.

5. Prior to the commencement of construction, details showing how the floor layouts, including internal and external circulation spaces, entrances, toilet accommodation and other relevant facilities for each of the residential blocks and for both hotels 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 respective occupation of block A, block B and the hotels. In addition, as shown on the approved plans no less than 5 residential units (3 in residential block A and 2 in residential block B) and 19 hotel bedrooms are to be wheelchair compliant with at least one of the 19 wheelchair compliant hotel bedrooms having a fixed hoist to the

Date: 31 March 2003

David Gworthy

Head of Planning and Transport

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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.

(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.

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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);

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

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HAZARDOUS WASTE AND MATERIALS

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

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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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bedroom and bathroom and a further 6 rooms to be designed to meet the needs of the visually or aurally impaired. Full details of the layouts for the 6 rooms for the visually or aurally impaired to be submitted to and approved in writing by the local planning authority prior to the commencement of construction. The approved facilities shall be provided prior to the hotel first coming into use and shall be retained for use thereafter. 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.

6. Disabled access to be kept available and free from obstruction from the car park level to the hotel and block A 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.

7. Lifts within the buildings hereby approved are to be provided in accordance with the approved plans for each of the residential blocks and for both hotels and to be available for use prior to the respective occupation of block A, block B and the hotels and thereafter retained for use at all times. Reason: in the interests of the amenities of future occupants and visitors and in accordance with the Council's policies and practice in respect of access for disabled persons.

8. Prior to commencement of construction details of proposed refuse storage facilities to include recycling facilities and ventilation details, and a management plan to cover the removal of rubbish from the site shall be submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details and the facilities maintained thereafter. Reason: in the interests of ensuring adequate facilities are in place for the storage of refuse.

9. 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. Prior to agreement on the submitted scheme the residents of Shoesmiths Court shall be consulted on the details prior to the agreement of the submitted scheme with amendments made where relevant and applicable and to be included in the approved statement. 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
f) A scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public viewing

Date:

31 March 2003

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NOTES

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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);

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h) A scheme for recycling waste resulting from the construction programme
i) The method of demolition of the existing structures and concrete hardstanding
j) Measures to be used for the suppression of dust and dirt throughout the course of construction.
k) The methods of supervision to ensure that workers have knowledge of the method statement and to ensure compliance with the method statement.
l) A "hotline" number shall be provided for the use of residents of Shoesmiths Court in the case of problems being experienced from demolition and construction works on the site. The phone line will be provided, managed and problems dealt with by a person or persons to be nominated by the developer and shall operate throughout the entire development period.

The Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority. Reason: In the interest of safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

10. Prior to the commencement of construction of each of the residential blocks, details of the means by which the building envelope of each of the residential flats hereby permitted shall be constructed so as to provide sound attenuation against external noise to achieve a rating of NR25 within the bedrooms of the units and NR30 within other habitable rooms from external sources with windows shut and other means of ventilation provided, to be submitted to and approved in writing by the local planning authority. Measures to be completed in accordance with the approved details and to be fully operational prior to the first occupation of each respective residential block. Reason to ensure that residents are protected from unreasonable sound levels from external sources

11. Prior to the commencement of construction of the hotels, details of the extraction, ventilation and filtration equipment to be installed to suppress and disperse fumes and/or smell created from the cooking operations from the hotels on the premises to be submitted to and approved in writing by the local planning authority. The equipment shall be installed in accordance with the approved details and thereafter be effectively operated and maintained in accordance with the manufacturer's instructions for as long as the proposed use continues. The approved equipment shall be installed and in full working order prior to the commencement of the hotel use. Reason: to ensure that the hotel use has adequate ventilation equipment to ensure that neighbouring properties are not unreasonably polluted by odours from the use.

12. No external vents or ducting shall be installed on the road frontage elevations (Friar Street, Merchants Place and Garrard Street) of the building. Reason in the interest of protecting the visual appearance of the building

13. Details of any external lighting on the site to be submitted to and approved in writing by the local planning authority prior to installation. The approved lighting shall be installed, a maintained and operated in accordance with the approved details unless the local planning

Date:

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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

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.

authority gives its prior written consent to the variation. Reason: to protect the appearance of the area and local residents from light pollution.

14. Details of the canopy (including cross sections) required for the Friar Street frontage to mitigate the impact of wind generation by the development hereby approved to be submitted to and approved in writing by the local planning authority prior to the commencement of construction of the hotels. The canopy shall be installed in accordance with the approved details prior to the hotels being first brought into use and shall thereafter be maintained in good condition at all times along the Friar Street frontage. Reason. To mitigate against the effect of wind generated by the approved buildings for the site and in the interests of the visual appearance of the building.

15. 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 shall include a written statement assessing the environmental impact of the proposed works. For schemes involving soft landscaping the submitted details should include schedules of plants giving the species, plant sizes, proposed numbers/densities and an implementation and maintenance programme. Other details shall include the provision where appropriate of fencing, walling and other means of enclosure and screening, the formation of banks, terraces or other earthworks. Following approval by the local planning authority, the hard and soft landscaping works shall be carried out in accordance with the approved details, the roof terracing for phase 1 of the development comprising the hotels and residential block A to be completed prior to the hotel being first brought into use and the courtyard and all other works being completed prior to the occupation of the 95th residential unit. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment.

16. Construction of the development hereby approved shall not commence until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times.

17. If within a period of three 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, 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.

Date:

31 March 2003

David Gworkey

Head of Planning and Transport

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

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

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Reading BOROUGH COUNCIL

18. A landscaping management plan, including long term objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or in accordance with a timetable to be agreed in writing with the local planning authority. Reason: to ensure the long term management and maintenance of communal landscaped areas on the site.

19. Tree protection measures for the existing trees in Merchants Place to be submitted to and approved in writing by the local planning authority prior to the commencement of development. The approved protection shall be retained throughout the construction period. Reason : To ensure the protection of trees to be retained.

20. 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

21. Any windows to a bathroom, shower room or WC in the development hereby permitted shall be glazed with obscure glass and thereafter maintained with obscure glass. Reason: in the interests of privacy.

22. Prior to the commencement of construction details of measures for the control and management of car parking areas shall be submitted to and approved in writing by the local planning authority. The development shall take place in accordance with the approved details and the details adhered to thereafter. Reason: in order to ensure an effective scheme of controls and management of car parking on the site in the interests of highway safety.

23. The car parking provision shown on the approved drawings shall be provided and made ready for use prior to first occupation of the part of the development hereby permitted to which it relates. Reason: in the interests of ensuring adequate provision is made for car parking on the site and the safety and convenience of all highway users

24. The areas identified on the approved drawings for the parking of vehicles shall be constructed and marked out and kept available or used for vehicle parking at all times. No development, whether or not permitted by the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) shall be carried out on such areas or in such a position as to restrict vehicular access to those reserved parking areas. Reason: as the development, without the provision of off-street parking facilities, would be likely to lead to vehicles being parked on the public highway to the detriment of road safety.

25. At least five disabled parking bays to be kept available for use at all times by occupiers of the wheel chair compliant residential units and one for an occupier of the wheelchair

Date:

31 March 2003

David Gworthy

Head of Planning and Transport

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

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) –

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(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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compliant units within the hotel. Reason. In the interests of providing an adequate level of parking for disabled residents.

26. One parking bay to be kept available for use at all times for private hire/taxi drop-off or waiting unless otherwise agreed in writing by the local planning authority. Reason. To ensure the permanent provision of such a facility for the benefit of hotel residents and in the interests of highway safety.

27. 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.

28. No development, demolition works or site clearance shall take place within the site until the applicant, or their agents or successors in title has secured the written approval of the local planning authority for a full scheme of archaeological works and investigation. Reason: to ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning).

29. Archaeological investigation of the site and buildings recording to be carried out in accordance with approved scheme of works. Reason: to ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning).

30. There shall be no alterations to the existing site levels as detailed on approved plan ref. 643SITE 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.

31. 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.

32. An internal survey of the Boars Head Public House on the site to be carried out, submitted to and agreed in writing by the local planning authority prior to the commencement of development. In the case that bats are found to be present on the site a bat mitigation plan to be submitted to and approved in writing by the local planning authority prior to the commencement of development and works to be completed in accordance with the approved scheme. Reason To preserve the habitat of a protected species.

Date: 31 March 2003

David Gworthy

Head of Planning and Transport

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

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);

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(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.

Reading BOROUGH COUNCIL

33. A mitigation scheme to provide continued nesting facilities for Black Redstarts as part of the landscaping scheme to be approved for the roof terrace above floor 1 of the hotel buildings (schedule 1 birds under the Wildlife and Countryside Act) to be submitted to and approved in writing by the local planning authority prior to the commencement of development, demolition works or site clearance. Reason. To preserve the habitat of a protected species

34. The width of the pedestrian routes within the site and vehicular access from Garrard Street to and within the underground car parking area to be no less than detailed on the approved plans. Reason In the interest of residential amenity and highway safety.

35. Details and management of the pedestrian access gate to residential block A from Merchants Place and vehicular access to the basement to be submitted to and approved in writing by the local planning authority prior to the commencement of construction. The works shall be implemented in accordance with the approved details with the vehicular access details being fully complied with and operational prior to the first occupation of the hotels and residential units in block A and the pedestrian access details being fully complied with and operational prior to the first occupation of residential units in block B. The approved details shall thereafter be adhered to at all times. Any alterations to the agreed details to be subject to the prior written approval of the local planning authority. Reason. In the interest of residential amenity and highway safety.

36. A security management plan for the site, including pedestrian access into the residential blocks and hotel from the car park, roads and footways and the provision of CCTV within the site shall be prepared and implemented in consultation with the Thames Valley Police, Crime Prevention Design Advisor. The plan to be submitted to and approved in writing by the local planning authority prior to the commencement of construction. The approved details and measures shall thereafter be adhered to at all times with any alterations to be subject to the prior written approval of the local planning authority Reason: in the interests of safety and security for prospective residents and their property and hotel staff and other users of the site.

37. The CCTV cameras to be provided on the site to be linked to the police or hotel networks to ensure 24 hour surveillance. Reason: in the interests of safety and security for prospective residents and their property and hotel staff and other users of the site.

38. The approval hereby granted relates only to the details provided on the following plans:

643SITE	Existing site plan
643SK5R rev C	Proposed site / roof plan
643SK499 rev U	Lower Ground Floor Plan
643SK500 rev R	Ground Floor Plan (A3 version of plan includes restricted use areas denoted with X (restaurant) and Y (bedrooms))
643SK501 rev J	First Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))

Date:

31 March 2003

David Gworthy

Head of Planning and Transport

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

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

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Reading BOROUGH COUNCIL

643SK502 rev A	Second Floor Plan (A3 version of plan includes restricted use areas denoted with X (hotel bedrooms))
643SK503 rev A	Third Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK504 rev K	Fourth Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK505 rev A	Fifth Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK506 rev B	Sixth Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK507 rev A	Seventh Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK508 rev K	Eighth Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK509 rev C	Ninth Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK510 rev A	10th - 11th Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
643SK511 rev K	12th - 13th Floor Plan (A3 version of plan includes restricted use areas denoted with X (conference rooms and hotel bedrooms))
6433L3.E rev G	East Elevation
643ELE.N rev F	North Elevation
643ELE.W rev G	West Elevation
643ELE.S rev C	South Elevation
643ELE.S rev F	Detail South Elevation
643ELE.W rev F	Enlarged West Elevation
643SE T.ELErev D	Section 1
643SECT.ELE2 rev E	Section 2
643SECT.ELE3 rev G	Section 3
643SECT.ELE4 rev F	Section 4
643SECT.ELE5 rev F	Section 5
643FP01	Detail Plan
643FP02	Detail Plan
643F012	Wheelchair Compliant Flat
643F013	Wheelchair Compliant Flat
643DISROOM	Wheelchair Compliant Hotel Rooms

Reason: as some plans were changed and to clarify which plans are approved.

39. 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.

Date:
31 March 2003

David Gworthy

Head of Planning and Transport

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

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.

Reading BOROUGH COUNCIL

40. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no satellite dishes shall be erected or installed on any external surface of the development without the prior written consent of the local planning authority. Reason: to protect the visual character and appearance of the area.

41. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site for each residential block and the hotels to be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed, in accordance with the approved plan, and in accordance with a timetable to be agreed in writing with the local planning authority and shall thereafter be maintained as shown on the approved plan. Reason: in order to protect the privacy of adjoining and future occupiers and enhance the appearance of the development.

42. In the event that historically important inscriptions are found in the cellars of the Boars Head Public House, the local planning authority shall be notified immediately and a scheme to ensure their preservation and display either on the site as part of the new development or elsewhere shall be submitted for consideration and approval by the local planning authority. Reason: to ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning).

43. Prior to the commencement of development details of the provision of secure cycle storage and ancillary facilities for each residential block and the hotels to be submitted to and approved in writing by the local planning authority. The facilities for the hotels and residential block A to be provided in accordance with the approved details and made ready for use prior to their first occupation and the facility for residential block B to be provided in accordance with the approved plans and to be provided and made ready for use prior to its first occupation. The 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.

44. Access to the private ground floor courtyard shall be provided for residents of residential block A and residential block B in accordance with the approved plans and shall thereafter be retained for use at all times. Access to the courtyard shall not be available at any time from the hotel uses on the site. Reason: to ensure an acceptable level of amenity space is provided for the residential units on the site and that there is no conflict between the residential and hotel uses on the site

45. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification)) none of the hotel bedrooms shown marked with an with an "y" on the approved plans (A3 version) 643SK500 rev shall be used other than as hotel bedrooms, or for administrative or "back of House" purposes ancillary to the hotel use on the site

Date:

31 March 2003

David Gworthy

Head of Planning and Transport

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.

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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.

(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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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) –
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  (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 –

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

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

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

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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

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.

permitted as part of this Permission without the prior written approval of the local planning authority first having been obtained. Reason: to ensure the amenities and privacy of occupiers of the residential units permitted as part of this Permission are protected

46. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) none of the hotel bedrooms shown marked with an "X" on the approved plans, (A3 versions) 643SK501 rev J, 643SK502 rev A, 643SK503 rev A, 643SK504 rev K, 643SK505 rev A, 643SK506 rev B, 643SK507 rev A, 643SK508 rev K, 643SK509 rev C, 643SK510 rev A , 643SK511 rev K, shall be used except as bedrooms for the accommodation of hotel guests using the hotel on the site permitted as part of this Permission without the prior written approval of the local planning authority first having been obtained. Reason: to ensure the amenities and privacy of occupiers of the residential units permitted as part of this Permission are protected

47. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) none of the Conference Rooms shown marked with an "X" on the approved plan (A3 version) 643SK501 rev J shall be used except as Conference Rooms without the prior written approval of the local planning authority first having been obtained. Reason: to ensure the amenities and privacy of occupiers of the residential units permitted as part of this Permission are protected

48. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) none of the restaurant facilities shown marked with an "X" on the approved plan (A3 version) 643SK500 rev R shall be used except as restaurant without the prior written approval of the local planning authority first having been obtained. Reason: to ensure the amenities and privacy of occupiers of the residential units permitted as part of this Permission are protected

49. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no works of alteration to the external fenestration of the hotel bedrooms shown marked with an "X" on the approved plans (A3 versions) 643SK501 rev J, 643SK502 rev A, 643SK503 rev A, 643SK504 rev K, 643SK505 rev A, 643SK506 rev B, 643SK507 rev A, 643SK508 rev K, 643SK509 rev C, 643SK510 rev A , 643SK511 rev K and marked with a "y" on plan ref. 643SK500 rev R, shall be carried out without the prior written approval of the local planning authority first having been obtained. Reason: to ensure the amenities and privacy of occupiers of the residential units permitted as part of this Permission are protected

50. Prior to the hotel being first brought into use, details of the location and style of obscure glazing to be used within the window between the restaurant and the private ground floor courtyard garden to be submitted to and approved in writing by the local planning authority.

Date:

31 March 2003

David Gworthy

Head of Planning and Transport

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

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.

The approved details shall be fully implemented prior to the hotel use being first brought into use and shall be retained thereafter unless otherwise agreed in writing by the local planning authority. Reason: To protect the amenities of occupiers of the residential units on the site.

51. Details of the screen to be erected along the eastern edge of the roof terrace to flat reference K1/A4 on plan no 643SK501 rev J to be submitted and approved in writing by the local planning authority and installed in accordance with the approved details prior to the flat being first occupied. The approved screen shall be retained thereafter unless otherwise agreed in writing by the local planning authority. Reason: To protect the amenities of occupiers of the residential units on the site and the privacy of the neighbouring commercial properties are protected and to prevent prejudicing the potential for future development of the neighbouring site

INFORMATIVES

1 INFORMATIVE - S106 AGREEMENT
A section 106 Agreement relates to this site.

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

3 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. Although on street parking exists nearby, there must be no assumption that the occupants of these flats would be guaranteed an on street parking space or indeed issued with any residents parking permits. The Developer should advise future occupants accordingly

4 Before any canopy, balcony or any other structure overhanging the public highway is erected a license must be obtained under Section 177/178 of the Highways Act 1980 with respect to any part of it which overhangs the highway. A license can be obtained from the Council's Technical Services Department.

Date: 31 March 2003

David Gworthy BSS

Head of Planning and Transport

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.

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