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 OUTLINE PLANNING PERMISSION

To: c/o Romans Professional Services
4 King Street Lane
Winnersh
Berks RG41 5AS

Application No: 03/01465/OUT/SKH

Applicant: Banner Homes Ltd

READING BOROUGH COUNCIL as local planning authority GRANT OUTLINE planning permission for the following development:

Proposal: Erection of 2 x 4-bed semi detached dwellings, 2 x 5-bed detached dwellings, 1 x 1-bed flat and 5 x 2-bed flats

At: 48-54 Grosvenor Road Caversham Reading

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

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

Date: 28th May 2004

David Worthy

Head of Planning and Transport

Reading
BOROUGH COUNCIL

Application At: 48-54 Grosvenor Road Caversham Reading

Application No: 03/01465/OUT

CONDITIONS & REASONS

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this outline permission. Reason: to prevent an accumulation of unimplemented planning permissions and in accordance with the provisions of Section 91(2) of the Town & Country Planning Act 1990.

2. The development to which this permission relates must be started either before:-
a) the expiration of five years from the date of granting this outline permission; or
b) the expiration of two years from the date of approval of the last reserved matter, whichever is the later.
The development shall be carried out in accordance with the approved plans. Reason: to prevent an accumulation of umimplemented planning permissions and in accordance with the provisions of Section 91(2) of the Town & Country Planning Act 1990.

3. This permission relates only to the application as changed by drawing GROS200 which was received by the local planning authority on 12th January 2004 and drawings A02/WP70 - 10B and A02/WP70 -11B which were received by the local planning authority on 9th February 2004. Reason: as some plans were changed and to clarify which plans are approved.

4. The garage(s), hereby permitted, shall be used solely for the garaging of private motor vehicles, and no development, whether or not, permitted by the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out in such a position as to restrict access to the garage(s) in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to enable the local planning authority to control the use of such garages in the interests of amenity and road safety.

5. 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 in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: in the interests of privacy.

6. 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 windows in the south elevation of dwelling on plot 10 hereby permitted other than those shown on the approved plans, shall be constructed in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: as unrestricted development or various minor operations to or around the dwelling could have a serious impact on adjoining properties and the area in general and should therefore be controlled.

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7. A bin store shall be provided in the position as shown on the approved drawing A02/WP70-10B before any of the flatted development is occupied in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: In the interests of the visual amenities of the site.

8. Before the development is commenced details showing how the ground floor layout(s), including internal and external circulation spaces, entrances, toilet accommodation and other relevant facilities can be made fully accessible to all disabled persons in accordance with part M of the Building Regulations shall be submitted to and approved in writing by the local planning authority. Before any of the development is occupied or used it shall be completed in accordance with the approved details in accordance with policy HSG 10 of the Reading Borough Local Plan (1998). 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.

9. No development shall take place until samples of the materials to be used in the construction of the external surfaces of this development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: as no details have been submitted and in the interests of the visual appearance of the building and the area.

10. In connection with the implementation of this permission the demolition and construction works 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 in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to protect local residents from unreasonable disturbances from works connected with implementing this permission.

11. 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.

12. Before any development is commenced details of the method of disposal of foul sewage shall be submitted to and approved in writing by the local planning authority. The sewerage works shall be completed in accordance with the approved scheme before the development, hereby permitted, is occupied in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to ensure adequate sewerage is provided in the interests of pollution prevention.

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13. No development shall take place before a scheme of sound insulation between flats hereby permitted has been submitted to and approved in writing by the local planning authority. Thereafter none of the flats shall be occupied until the approved scheme has been fully implemented in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: In the interests of the amenities of the occupants of the proposed flats and of neighbouring occupants.

14. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for the parking of personnel vehicles and plant and storage of materials during the construction period; thereafter during that period personnel vehicles, plant and materials shall be parked and stored in the approved facilities. Reason: as the development, without this facility, would be likely to lead to storage of plant and materials on the public highway causing a hazard and inconvenience to other road/pavement users.

15. Throughout the course of construction the footway and grass verge next to the site shall be kept free from any obstruction by vehicles, materials or construction refuse. Upon completion of the development the footway and grass verge shall be reinstated to its former condition in accordance with a scheme of works to be submitted to and approved in writing by the local planning authority before the development is occupied or used in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to protect local residents, pedestrians and road users from inconvenience or nuisance arising from the implementation of development and to ensure that the site frontage is properly restored once the development is completed.

16. The areas shown on the submitted drawings reserved for the parking, turning, loading/unloading and circulation of vehicles shall be constructed and marked out and kept available or used for such purposes 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 access to such facilities. Reason: as the development, without the provision of adequate parking, turning, loading/unloading and circulation facilities, would be likely to lead to parking and manoeuvring on the public highway to the detriment of road safety.

17. Prior to the commencement of development on the site, including any site clearance or demolition works a method statement relating to the vehicular access and footpath on to the site shall be submitted to and approved in writing by the local planning authority prior to the submission of/ or included with the first reserved matters application including any clearance or demolition works.This method statement shall show details of:-

i. The method of bridging the roots of the TPO Cedar tree adjacent to the proposed access road during the period that the protective road design is not implemented, but vehicles need to enter/ exit the site. Details need to demonstrate that the bridge will take the weight of construction vehicles without compacting the root system of the TPO Cedar tree and including full plans of the proposal.

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ii. The method of excavating around the root system of the TPO Cedar tree and the method of piling/ trenching in order to secure the footings of the final road construction.
iii. The methods of supervision to ensure workers have knowledge of the method statement and to ensure compliance of the method statement.
iv. Details of size of vehicles required to access site and any crown lifting needed in order to allow vehicles on to the site without damage to the canopy of the TPO Cedar tree.
v. Engineering drawings showing the design of the final road construction accurately plotting the TPO Cedar tree and full specification of materials to be used.

Thereafter the method statement shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authorityin accordance with policy NE 6 of the Reading Borough Local Plan (1998).. Reason: To protect the TPO Cedar tree.

18. The requirements of point i in the condition above shall be implemented in all respects prior to the commencement of development, demolition or clearance and before any vehicles or machinery are brought onto the site for that purposein accordance with policy NE 6 of the Reading Borough Local Plan (1998). Reason: To ensure the protection of the TPO Cedar tree.

19. The design and construction of the permanent site access road shall be such that the roots of the TPO Cedar are not compacted or otherwise damaged by that access road or its subsequent use, and details of the engineering design and construction method shall be submitted to and agreed on writing by the local planning authority prior to the commencement of work on site. The access road shall be fully provided in accordance with with those approved details prior to the occupation of the last of the dwellings hereby approved in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to ensure the protection of the TPO Cedar tree and the appropriate provision of the access road.

20. No dwellings shall be occupied until the roads serving it have been provided in accordance with the approved drawings to the satisfaction of the local planning authority in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: In the interest of road safety.

21. No dwellings shall be occupied until vehicle parking space has been provided in accordance with the approved plan. The space shall thereafter be kept available for parking at all times in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: To ensure that the development is provided with adequate parking facilties in order to reduce the the likelihood of roadside parking which could be a danger to other road users.

22. A covered bicycle storage shall be provided in accordance with details to be submitted to and approved by the local planning authority and equipped with secure Sheffield cycle stands before occupation of the dwellings to which they relate in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to encourage

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travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's approved transport policies.

23. No development shall take place 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, surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc). 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 before any of the development is occupied and 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 in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment.

24. 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, is removed, uprooted or destroyed or 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 in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

25. A landscaping management plan, including long term objectives, management responsibilities and maintainance schedules for all landscape areas, other than small, privately owned, domestic gardens, 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 in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: to ensure the long term management and maintainance of communal landscaped areas on the site.

26. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site. The boundary treatment shall be completed, in accordance with the approved plan, before the development is occupied or 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 in accordance with policy HSG 5 of the Reading Borough Local Plan (1998). Reason: in

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order to protect the privacy of adjoining and future occupiers and enhance the appearance of the development.

27. Before any development, including demolition, is commenced the following plans and details of existing trees and hedges to be retained are required to be submitted to and approved in writing by the local planning authority:]

a) A plan showing the location of, with a reference number, each existing tree on the site which has a stem with a diameter exceeding 75mm measured over the bark at a point 1.5 metres above ground level and showing which trees are to be retained and the crown spread of each retained tree;

b) details of the species, diameter (measured as above) and the approximate height, and an assessment of the general state of health and stability of each retained tree/ hedge and of each tree/ hedge which is on land adjacent to the site and to which paragraphs c & d below apply;

c) details of any proposed topping or lopping of any retained tree/ hedge, or of any tree/ hedge on land adjacent to the site;

d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation either within the crown spread (or in the case of fastigiate, columnar or upright trees, at no less a distance from the trunk than the equivalent of half the height of the tree) of any retained tree or of any tree adjacent to the site;

e) details of the specification and position of fencing or any other measures to be taken for the protection of any retained tree/ hedge (to BS5837:1991) from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above in accordance with policy NE 6 of the Reading Borough Local Plan (1998). Reason: to ensure that existing trees are accurately recorded and protected.

28. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored on the land so enclosed nor against the fencing. No fires shall be lit, and no raising or lowering of ground levels shall take place under the canopy of the retained trees or within the area protected by the fencing. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the local planning authority. Reason: to ensure that proper protection is given to important trees on the site.

29. A method statement relating to the adjacent TPO Oak tree for the construction of the garage for plot 1 shall be submitted to and approved by the local planning authority prior to the commencement of development in accordance with policy NE 6 of the Reading Borough Local Plan (1998). Reason: To minimise the impact on roots of retained trees.

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30. Prior to the commencement of development, plans detailing the design of the proposed replacement pond including shape, cross-sections and proposed planting together with a management plan detailing management responsibilities and maintenance schedules shall be submitted and approved in writing by the local planning authority in accordance with policy NE 6 of the Reading Borough Local Plan (1998).. Reason: In the interests of ensuring the retention of the replacement wildlife pond on the site.

31. The destruction of the existing pond shall not take place until the proposed pond has been constructed in accordance with the above condition and the translocation of the contents of the existing pond completed in accordance with policy NE 6 of the Reading Borough Local Plan (1998). Reason: In the interests of wildlife protection.

32. No development shall take place until plans detailing the protection of the existing pond throughout the construction period have been submitted to and approved in writing by the local planning authority in accordance with policy NE 6 of the Reading Borough Local Plan (1998). Reason: In the interest of protecting wildlife.

33. Before any development commences, plans and particulars of all reserved matters not particularised in this outline application; namely detailed plans and drawing showing the design and external appearance, and the landscaping of the site, shall be submitted to and approved in writing by the local planning authority and shall be carried out as approved. Reason: to ensure a satisfactory form of development and in accordance with the provisions of Article 4 of the Town & Country Planning (General Development Procedure) Order 1995.

INFORMATIVES

1. A Section 106 Agreement relates to this site (Contributions to RUAP, Education, Leisure and Affordable Housing)..

2. Before any planning consent is implemented an agreement may be required with respect to the supervision of new roads and paths by the Borough Council. The applicants should contact the Council's Highways section at 2 - 4 Darwin Close, Reading, RG2 0RB, telephone 0118 9390669, to discuss any arrangement for this.

3. Building Regulations application required.

4. The Proposal is acceptable in planning terms and is in accordance with Development Plan policies HSG5 (Residential Design Standards), HSG9 (Location of Residential Development), CUD14 (Standards of Design in Development), KEY3 (The Role of Development in Improving the Town), HSG 2 (Affordable Housing), TRN1 (A Balanced Transport Strategy), TRN11B (Development and Traffic), NE5 (Trees, Hedges and Woodlands) and NE6 (Protecting Wildlife Habitats and Natural Features on or Adjoining Development Sites) of the Reading Borough Local Plan (1998): policy EN1 (Protection and Enhancement of the Environment of Built-Up Areas) of the Berkshire Structure Plan

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1991-2006, and H6 (Residential Density and Dwelling Mix) of the Deposit Draft Berkshire Structure Plan 2001-2016; together with PPG3 (Housing).

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NOTES

APPEALS

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 8000. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

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

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

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

BERKSHIRE ACT 1986 - Section 32

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

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

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

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

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

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

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

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

(b) Of any of the following (being in each case, premises in which persons are employed to work) -
  (i) Office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;
  (ii) Premises which are deemed to be such premises for the purposes of that Act; or
  (iii) Factories as defined by section 175 of the Factories Act 1961,

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

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

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

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

(a) In the case of such a building or premises as are mentioned in subsection (1)(a)
  (i) To sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and
  (ii) To the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code,

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

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

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

HAZARDOUS WASTE AND MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipe work) needing disposal.
Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed. Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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

BUILDING REGULATIONS

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