



TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192 (as amended by section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995: ARTICLE 24

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

To: Dawn Robinson
347 Peppard Road
Reading
RG4 8XG

Application: 03/00012/CLE/TB

Applicant: Dawn Robinson

The Reading Borough Council hereby certify that on **13th January 2003** the use/operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate, and edged black on the attached plan would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s) and subject to the following condition(s) as may be attached:

FIRST SCHEDULE

Proposal: Conversion of property into 2 flats

At: 5 Tidmarsh Street Reading RG30 1HX

Date: 10th March 2003

David Gworthy

Head of Planning and Transport

AB

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.

At: 5 Tidmarsh Street Reading RG30 1HX

Application Number: 03/00012/CLE

CONDITIONS & REASONS

Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use/operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations which is/are materially different from that/those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Date: 10th March 2003

David Gworthy

Head of Planning and Transport

LEB

NOTES

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(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/26 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted, otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

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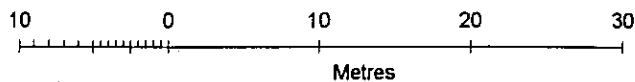
Siteplan®

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1:500 Scale



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2 - 56 TIDMARSH STREET, READING
RG30 1HX

SECOND SCHEDULE

Centre coordinates : 468902mE 174035mN

National Grid sheet reference at centre
of this Siteplan: SU6874SE.

Supplied by : Blackwell's Reading
Serial Number : 1194

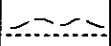
Siteplan

Symbols and depiction

Boundary Information

County/Region Island Boundary	---
District/London Borough Boundary	---
Parish/Community Boundary	
Electoral Division/Ward Boundary	----
Parliamentary Constituency or Euro Const Boundary	----
Boundary Meraing Change Symbol	o-o
Boundary Post, Boundary Stone (BP, BS)	*

Vegetation

Non-Coniferous Trees	Nc
Non-Coniferous Trees (Scattered)	Nc (scat)
Non-Coniferous Trees (Positioned)	
Coniferous Trees	c
Coniferous Trees (Scattered)	c (scat)
Coniferous Trees (Positioned)	
Orchard	Orch
Coppice/Osiers	Cop
Rough Grass	RG
Heath	Heath
Scrub	Sc
Saltings/Marsh/ Reeds	Marsh
Vegetation Limits	

Areas (Rural survey mapping only)

Areas Parcel No (published)	422a
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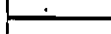
Buildings

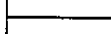
Roofed Structure/ Glasshouse	
Upper Level of Communication	

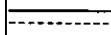
Others

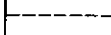
Spot Height	+
Bench Mark	←
Triangulation Station	△
Pylon/Flare Stack/ Lighting Tower	⊠

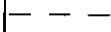
Flow Arrow	
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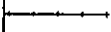
Mean High Water	
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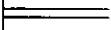
Mean Low Water	
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General Detail	
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Underground Detail	
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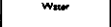
Overhead Detail	
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Tramway/ Narrow Gauge Railway	
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Standard Gauge Railway	
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Point Fixture (e.g. Letterbox)	*
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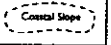
Water Feature	
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Water	
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Archway	
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Non-Roman Antiquity	
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Ornament

Rock	
Inland Rock (Scattered)	
Shingle	
Mud	
Inland Boulders	
Inland Boulders (Scattered)	
Coastal Boulders	
Sand	
Slope	
Coastal Slope	
Cliff	
Scree	

Common Abbreviations

Boundaries Information

ED Boundary	Electoral Division
Ward Boundary	Ward
Boro Const Bdy	Constituency
Euro Const Bdy	(County Borough or European)
Und	Undefined
CB	Centre of Bank
CD	Centre of Ditch
CR	Centre of Road
CS	Centre of Stream
Del	Detached
FF	Face of Fence
FW	Face of Wall
SR	Side of River
TB	Top of Bank
TKH	Track of Hedge
RH	Root of Hedge

Other Information

Chy	Chimney
EIP	Electricity Pillar or Pole
ETL	Electricity Transmission Line
FB	Foot Bridge
GP	Flagstaff
GVC	Gas Valve Compound
LB	Letter Box
Meml	Memorial
MHW	Mean High Water
MLW	Mean Low Water
NTL	Normal Tidal Limit
P	Post of Pole
PC	Public Convenience
PH	Public House
PO	Post Office
PW	Place of Worship
TCB	Telephone Call Box
Tk	Tank or Track
(um)	Unmade
W	Well

