

PLANNING STATEMENT



**Brandywell, Spring Lane.
Swallowfield. Reading.
RG7 1SU.**

On behalf of:
Mr. Evan Lindsell.

September 2026

PLANNING STATEMENT

Brandywell, Spring Lane. Swallowfield. Reading. RG7 1SU.

**Application for a certificate of existing lawful development
for the use of land at rear as residential garden as approved
under 160290**

Mr. Evan Lindsell.

DATE ISSUED: 30/09/2026

JOB NUMBER: ABP/0681

PREPARED and

APPROVED BY:

Andrew Beard MRTPI

Consultant

Andrew Beard Planning

(ABP)



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1. INTRODUCTION

- 1.1 This Report has been prepared to support a new CLEUD application to confirm lawful use of the whole site as a dwelling (use class C3) and garden in compliance with permission **160290** issued by Wokingham Borough Council on 11th April 2016.
- 1.2 The permission **160290** was implemented by Mr Lindsell with the construction of the new dwelling and this then benefits from the whole red line curtilage of permission **160290** as the Use Class C3 site.
- 1.3 There are no conditions attached regarding any restrictions within the site for use. It is therefore lawfully all part of the approved **160290** permission for residential use.
- 1.4 The application is made via Planning Portal reference PP-15262262 to regularise (after challenge by Council in 2025) the whole single dwelling and site.
- 1.5 As a CLEUD to confirm the rear extent of 1 dwelling, the fee is £759 via the Portal.
- 1.6 The detailed evidence of facts to support the CLEUD are –
- **Planning permission 160290**
 - Planning Statement September 2026 (ABP)
 - Planning permission **190051**

2. BACKGROUND HISTORY

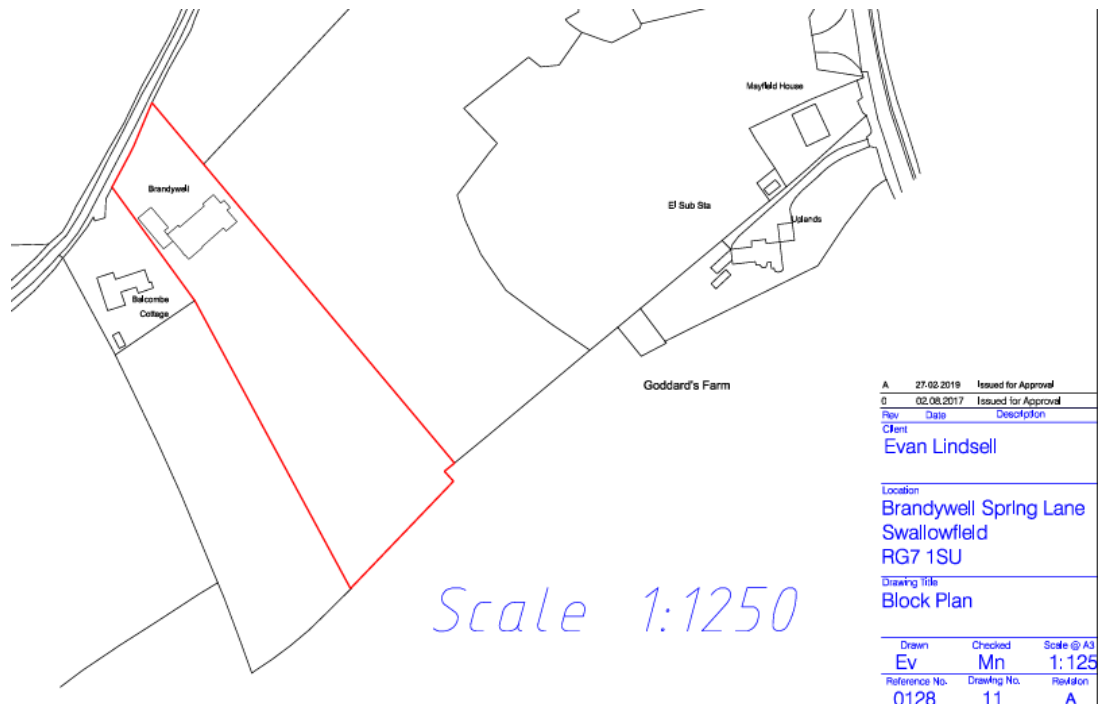
2.1 Mr. Lindsell acquired the site in late 2015.

2.2 Application **160290** was submitted on 2nd February 2016 and was approved on 11th April 2026. This granted permission for a single dwelling in one site for residential use (use class C3) as applied for below.

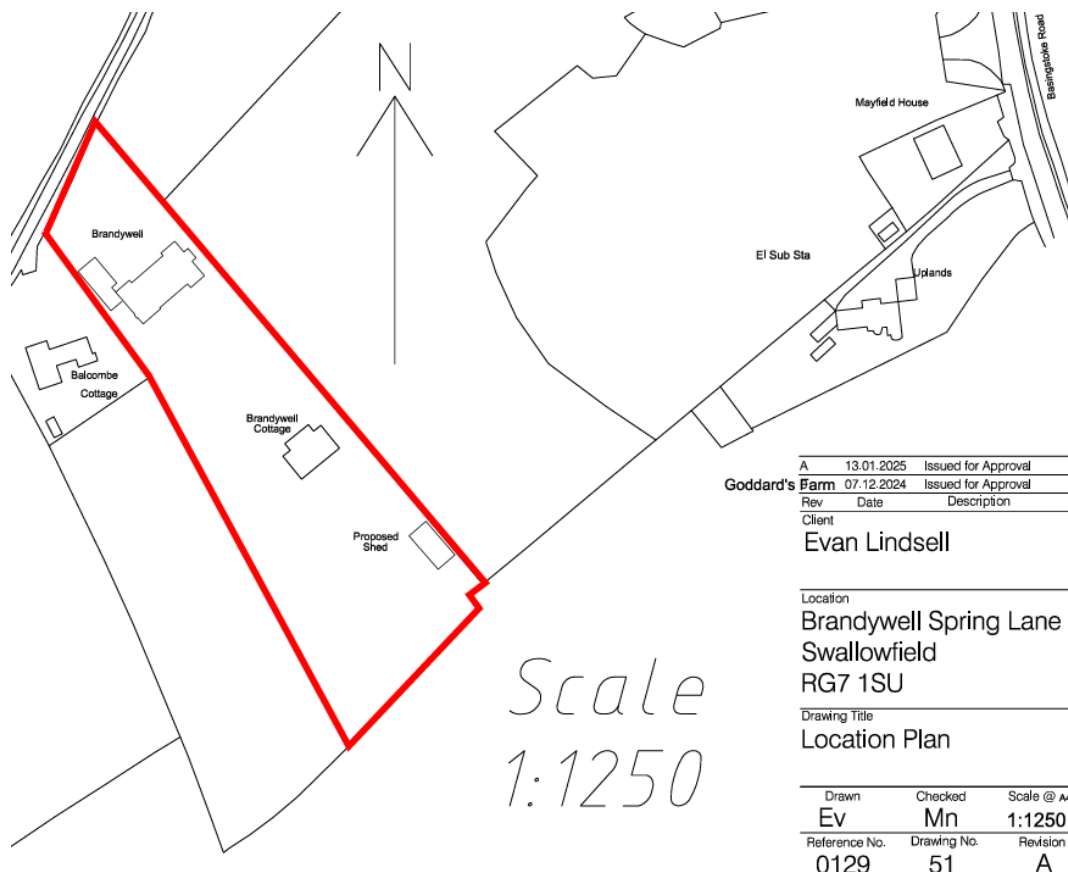


On this basis the whole site is lawful as a house and garden (see detailed grounds) with the benefit of permission issued by Wokingham Borough Council.

- 2.3 In 2019 a further householder application **190051** was approved for a two bay garage and store. This was approved on 6th March 2019. This included a red line block plan below the same as 160290.



- 2.4 It should be noted that application as a householder to the newly built Brandywell confirms that the 160290 was implemented and ongoing.
- 2.5 In 2025 application 251180 was submitted 18/5/2025 and refused on 30/07/2026 for "Householder application for garden shed (part retrospective). This red line was identical to 160290 and 190051 (both approved).



2.6 It was refused –

Reasons

1. The proposed development would result in an inappropriate increase of development away from the existing dwelling and its lawful curtilage resulting in an urbanising encroachment that would harm the countryside character and appearance of the area. The proposal is contrary to policy CP1, CP3 and CP11 of the Core Strategy, CC01, CC02, CC03 and TB21 of the MDD Local Plan and sections 12 and 15 of the NPPF.

2.7 This decision was based on the land to the rear being not in curtilage; was erroneous and flawed on the basis of original approval 160290 giving it permission.

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- 2.8 A CLEUD was registered as application 260689 on 1st April 2026 and refused on 22nd May 2026 for *Application for a certificate of existing lawful development for the use of land as residential garden.*
- 2.9 In hindsight, I should have just appealed the refusal 251180, but thought better just to establish the certificate to resolve the situation.
- 2.10 My CLEUD report highlighted all the previous red line submissions and that it was included in the permission 160290. I should have just stopped there, as nothing else is needed. It has planning permission by virtue of 160290.
- 2.11 In adding to the case that Mr Lindsell had used the whole site for 10 years, unfortunately opened up a new area that the Council then sought to “pick apart” (again erroneously in my view) and refused on that basis, not giving any weight to the base lawful case that planning permission has been granted under 160290.
- 2.12 In preparing for an appeal of 260689, this became crystal clear, and rather than confuse an Inspector with the issue of 10 years (not required) as permission exists under 160290 it would be better to resubmit the CLEUD to the Council to rectify their previous refusal.
- 2.13 This new CLEUD is therefore submitted on the single clear factual basis that the disputed area (red line plan for the CLEUD’s) has been granted residential full permission under **160290**.

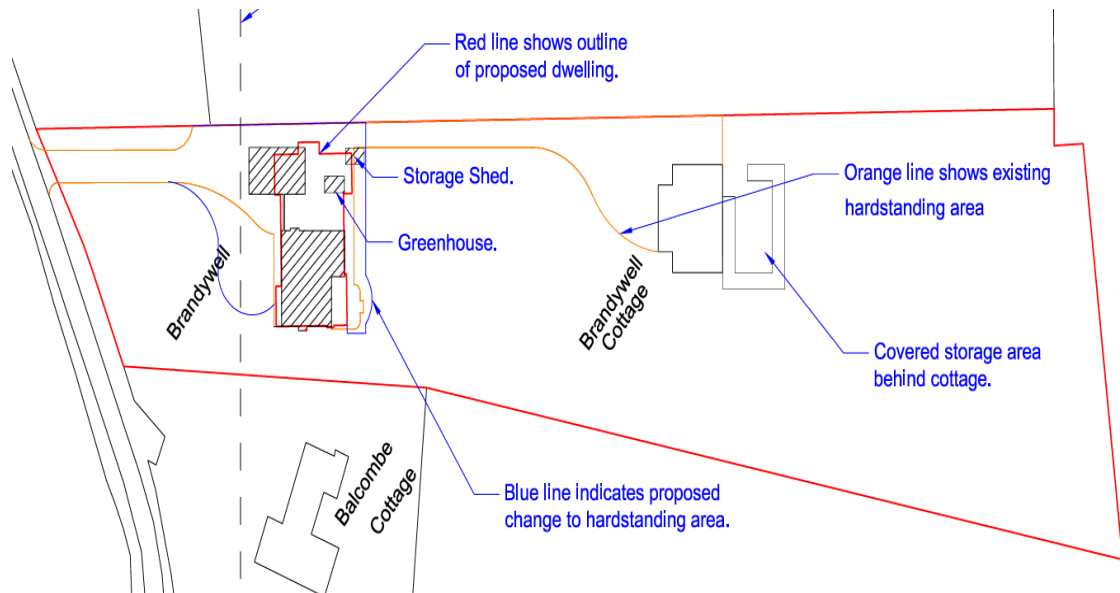
3. CLEUD DETAILED CASE.

- 3.1. Mr Lindsell has owned the whole site since late 2015 with all applications for the site comprising a whole red line area covering the full curtilage as a single planning unit.



- 3.2 In 2016 planning permission was approved and issued **160290** for – "Full planning application for the demolition of existing dwelling, double garage/workshop and cottage to rear plus erection of replacement chalet bungalow."

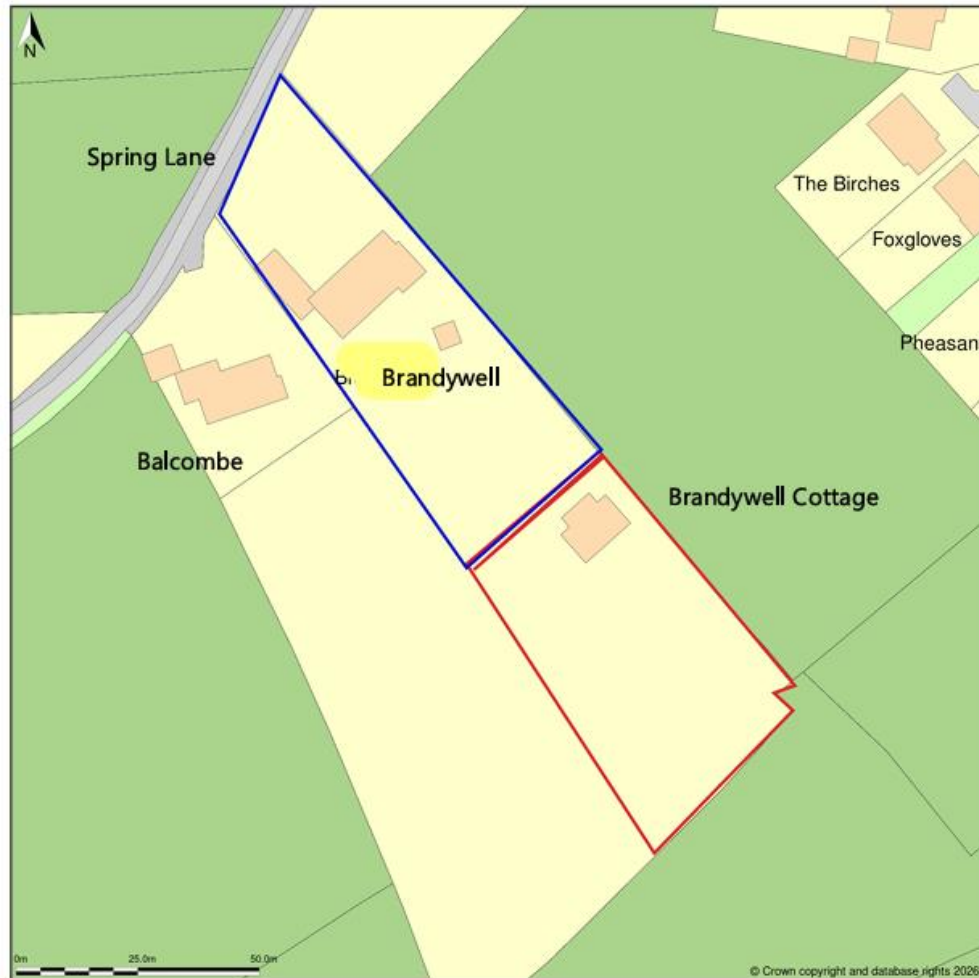
- 3.3 The approval **160290** approved a replacement dwelling in a full site curtilage as approved on approved drawings. **That full planning permission relates in law to the whole site as shown below. Permission granted.**



Block Plan 0128 / 02 dated 01.01.2016

- 3.4 Mr Lindsell operated on the basis that the whole site was approved as residential as above. A future householder application for garage was then approved 190051 with a whole site red line to match the 2016 permission.
- 3.5 It was only when an application for a Householder domestic outbuilding in 2025 (260689) at the rear of the site was applied for; that the Council then queried the curtilage and the rear portion of the site, without redress to 160290.
- 3.6 The CLEUD application was to confirm that the area of dispute was lawful and the extent shown below. The Council say separate woodland outside curtilage,

the planning permission 160290 includes it all as residential curtilage by approved plans.



3.7 The appellant is of the view that the new CLEUD 2026 for the land above should be issued as lawful for one very clear factual reason.

3.8 **It is lawfully approved under permission 160290.** That permission has been lawfully implemented and the garden area within the red line covers the whole site.

4.. FACTS

- 4.1 Planning application **160290** was submitted on 2nd February 2016 and registered on 15th February 2016.

Application Status

- ✓ Application Received on 02 February 2016
- ✓ Application Registered on 15 February 2016
- ✓ Processed
- ✗ Public consultation: Not Applicable
- ✓ Application decided 11 April 2016

Planning Application Number: 160290

iLAP Number: None

Site Address: Brandywell Spring Lane Swallowfield Wokingham RG7 1SU

Description: Full planning application for the demolition of existing dwelling, double garage/workshop and cottage to rear plus erection of replacement chalet bungalow.

Date Received: 02 February 2016

Date Valid: 15 February 2016

Decision Type: Approve

Application Status: Determination Made

Applicant Name & Address: Mr Evan Lindsell
Brandywell Spring Lane Swallowfield, Reading RG7 1SU

Agent Name & Address:

Agent Phone No:

Decision Date: 11 April 2016

- 4.2 The application description of development on the forms stated –

3. Description of the Proposal

Please describe the proposed development including any change of use:

To demolish the existing House, Double Garage/workshop and Cottage on the existing site and replace with a new chalet bungalow dwelling.

Has the building, work or change of use already started?

☐ Yes ☒ No

- 4.3 At that time, the property was vacant, but in lawful use as an empty dwellings.

14. Existing Use

Please describe the current use of the site:

The current site is currently a domestic house, with a large detached double garage and separate cottage building to the rear of the site.

Is the site currently vacant? ☒ Yes ☐ No

If Yes, please describe the last use of the site:

The last owner of the property lived in the main house and had tenants living in the cottage. Both properties are in need of a lot of modernization so currently unoccupied.

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated? ☐ Yes ☒ No

Land where contamination is suspected for all or part of the site? ☐ Yes ☒ No

A proposed use that would be particularly vulnerable to the presence of contamination? ☐ Yes ☒ No

- 4.4 The CIL form shows 3 existing buildings as at 2016 with previous 6 months in the past 36 months as lawful dwellings within the whole site as confirmed by the block plan and site plan of the application 160290.

7. Existing Buildings

a) How many existing buildings on the site will be retained, demolished or partially demolished as part of the development proposed?

Number of buildings:

b) Please state for each existing building/part of an existing building that is to be retained or demolished, the gross internal floorspace that is to be retained and/or demolished and whether all or part of each building has been in use for a continuous period of at least six months within the past thirty six months. Any existing buildings into which people do not usually go or only go into intermittently for the purposes of inspecting or maintaining plant or machinery, or which were granted temporary planning permission should not be included here, but should be included in the table in question 7c).

	Brief description of existing building/part of existing building to be retained or demolished.	Gross internal area (sq ms) to be retained.	Proposed use of retained floorspace.	Gross internal area (sq ms) to be demolished.	Was the building or part of the building occupied for its lawful use for 6 of the 36 previous months (excluding temporary permissions)?		When was the building last occupied for its lawful use? Please enter the date (dd/mm/yyyy) or tick still in use.	
1	Brandywell House	0	To be demolished	156.7	Yes ☒	No ☐	Date: or Still in use: ☐	22.10.2016
2	Garage and Workshop	0	To be demolished	51.6	Yes ☒	No ☐	Date: or Still in use: ☐	22.10.2016
3	Brandywell Cottage/Annex	0	To be demolished	125.5	Yes ☒	No ☐	Date: or Still in use: ☐	22.10.2016
4					Yes ☐	No ☐	Date: or Still in use: ☐	
Total floorspace		0		333.8				

- 4.5 The existing trees were acknowledged by the applicant at the time.

15. Trees and Hedges

Are there trees or hedges on the proposed development site?

☒ Yes ☐ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

☐ Yes ☒ No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

- 4.6 The site area of that application covered the whole site in terms of a) the application form, b) proposed site plan

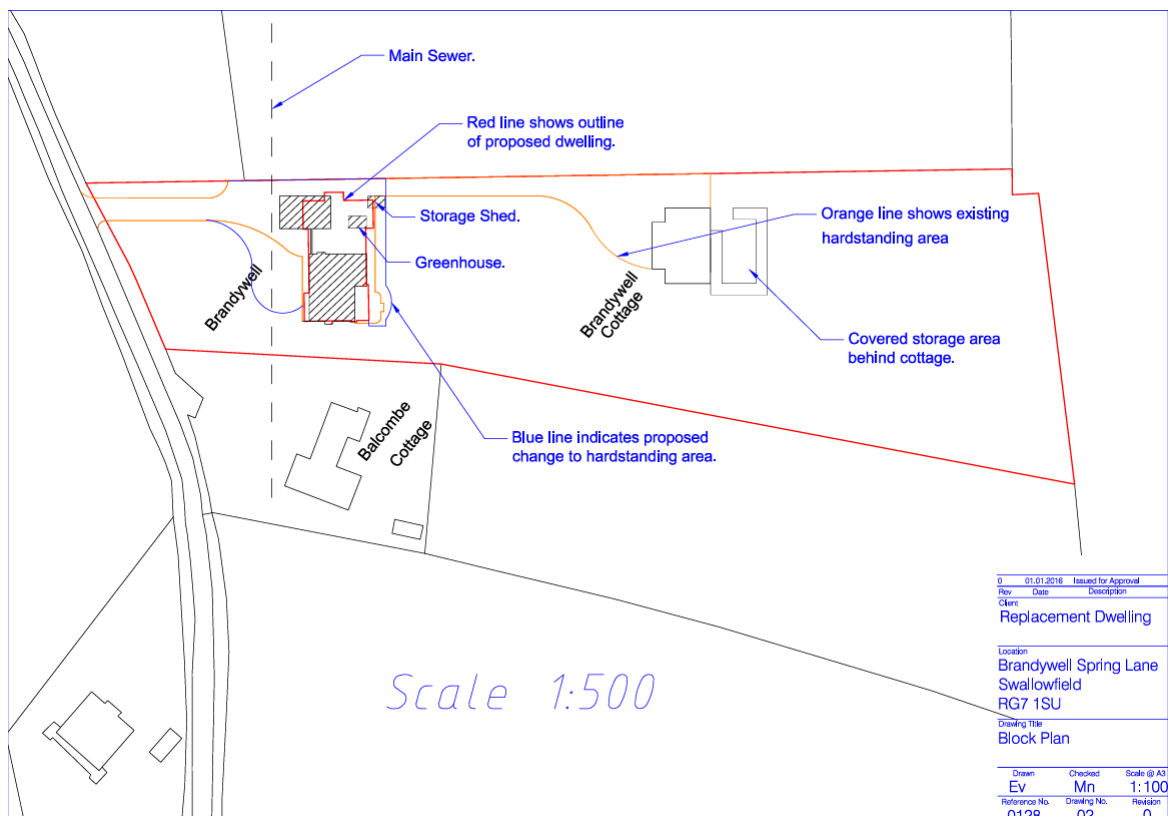
21. Site Area

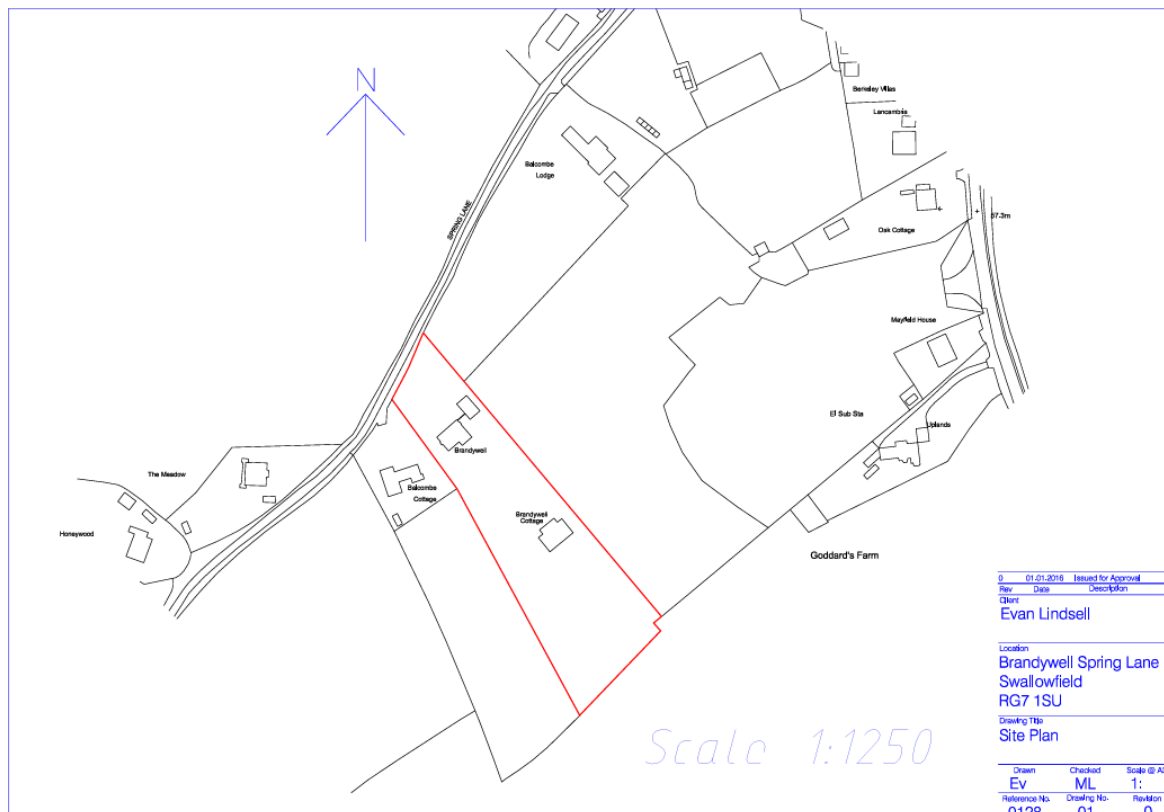
What is the site area?

7,128

sq.metres

0.7 hectares for the whole site





Site plan for 160290 0128/01 rev 0 dated 01.01.2016

- 4.7 The submitted Design & Access Statement January 2016 clearly stated that a single dwelling to provide a family home was intended and the plans cover the whole site.

*Brandywell House and Cottage has been recently purchased on the open market and is currently unoccupied. Both properties are in need of major repairs and upgrades so the current owner is looking to demolish all existing buildings and rebuild one **replacement dwelling to provide a family home for himself**. The details of this planning application is explained in more detail in this document and on the submitted drawings attached.*

This document is prepared in support of the planning application for a replacement chalet bungalow on the existing site. The present site has three separate buildings as seen on the plans. To the front of the site is a three bedroom chalet bungalow (Brandywell House), to the left hand side of the

*bungalow is a large double garage and workshop building. Brandywell Cottage is another large three bedroom detached bungalow to the rear of the site which is currently accessed by a driveway down the left hand side of the property. The site is about 600 hundred yards up Spring Lane on the North West side. The plot is just over 2 acres and Brandywell House and Garage are set about 60 yards back from the front boundary. The property is around 30 yards wide at the front and Brandywell House and Garage buildings sit central on the plot with a clear access to the rear of the property on both sides. **The rear of the property is mainly laid to lawn for the first 120 feet going into woodland towards the back of the property.***

- 4.8 As full transparency by the applicant the woodland nature of the rear land is referred to. It is included within the approved plans red line as the curtilage of the approved replacement dwelling. **It has been used as a woodland garden, as approved.** (The case made at the previous CLEUD submission)
- 4.9 The application 160290 was approved with an undated copy of the notice of decision on the Council's website, but stated as 11th April 2026. (see full notice of decision at Appendix 1)
- 4.10 The key legal points are –
- **160290 includes all plans covering the whole red line site.**
 - The development has clearly been completed and enacted, thus rendering the whole site lawful under **160290**
 - Plans 01 and 02, showing the whole site are specifically quoted in **condition 2 approved details**. This condition is stated to avoid doubt. The extent of the full site approved under **160290** is clear and covers the area now disputed by the Council since 2025.
 - There are no conditions relating to the extent of garden or identifying woodland outside the dwelling curtilage.



4.11 It is therefore submitted that it is clear that land in the CLEUD is lawful as it is approved lawful use falling within permission 160290.

4.12 160290 approved a new dwelling and the whole site is shown as curtilage to that dwelling.

4.13 The existing use of the site as a front dwelling, incidental outbuildings and whole garden area are in full accordance with permission 160290.

4.14 After full further review, it is abundantly clear that the site is lawful under 160290; and nothing further is thus needed for the issue of the certificate.

SUMMARY OF FACTS

1. 160290 grants permission for a replacement dwelling – now built.
2. 160290 includes 2 plans (block plan and site plan) which include the whole site within the red line curtilage.
3. Permission approved 160290 for a whole planning residential unit.

5. CONCLUSIONS

- 5.1 The conclusion is clear therefore that the land has planning permission under 160290 as set out on the approved drawings and without any restrictive conditions.
- 5.2 The area below should be confirmed as curtilage to Brandywell.

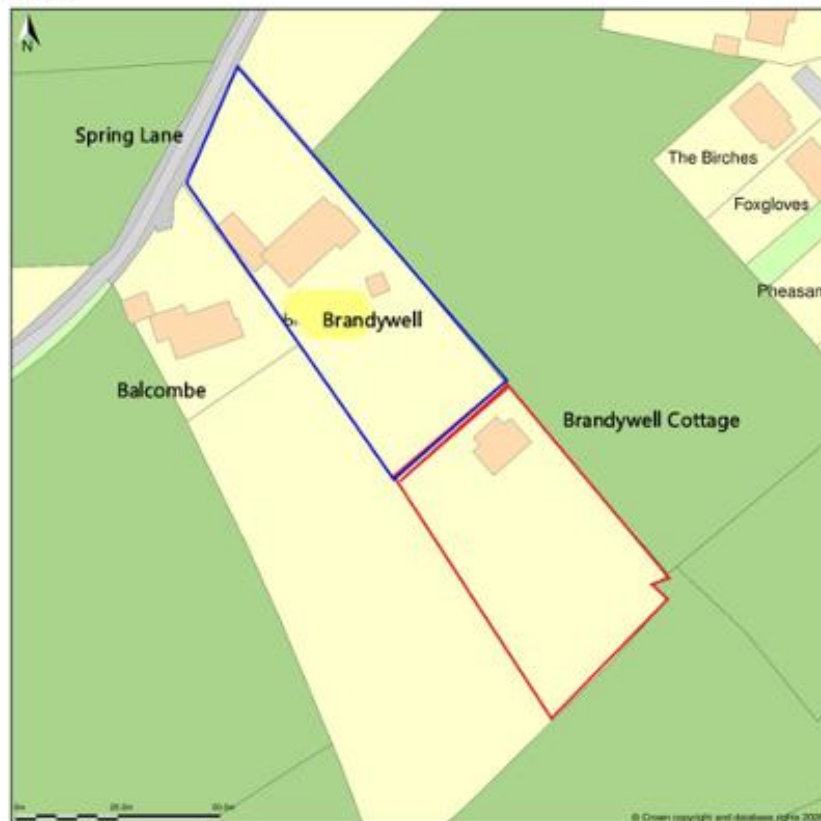
FIRST SCHEDULE

Proposal: Application for a certificate of existing lawful development for the use of land as residential garden.

SECOND SCHEDULE

Address: Brandywell, Spring Lane, Swallowfield, Wokingham, RG7 1SU

PLAN



Signed



Justin Turvey
Head of Development Management - Place & Growth
Date: 22 May 2026

APPENDIX 1

160290 APPROVED NOTICE OF DECISION

WOKINGHAM BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Mr Evan Lindsell
Brandywell
Spring Lane
Swallowfield, Reading
RG7 1SU

Application Number: 160290

Parish: Swallowfield

Location: Brandywell, Spring Lane, Swallowfield, Wokingham, RG7 1SU.

Proposal: Full planning application for the demolition of existing dwelling, double garage/workshop and cottage to rear plus erection of replacement chalet bungalow.

Wokingham Borough Council, in pursuance of its powers under the above Acts and Regulations, hereby **Grants Permission** for the above development to be carried out in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

Conditions and Reasons

1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. Approved details

This permission is in respect of the submitted application plans and drawings numbered Design Statement; 01; 02; 03; 04; 05; 06; 07; 08; 09; 10 and; 11 received by the local planning authority on 15/02/2016 and Preliminary Bat Roost Assessment dated February 2016 received by the local planning authority on 24/02/2016. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. External materials

Except where stated otherwise on the approved drawings, the materials to be used in the construction of the external surfaces of the extension hereby permitted shall

be of similar appearance to those used in the existing building, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

4. Landscaping

Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

Reason: To ensure adequate planting in the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21 (and TB06 for garden development).

5. Protection of trees etc.

a) No development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme).

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or

machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

d) The fencing or other works which are part of the Approved

Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning

authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and [Managing Development Delivery Local Plan policies CC03 and TB21.

6. Parking and turning space to be provided

No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

7. Demolition and Potential Contamination

Prior to the demolition of the existing buildings and structures and prior to development of the site, an assessment shall be carried out to determine whether any harmful materials are present, and where such materials are found then measures shall be taken to prevent such materials from contaminating the land to be developed. No building shall be occupied until a report detailing the assessment, and where necessary, mitigation measures undertaken, has been submitted to approved in writing by the LPA.

Reason: To ensure any contamination on the site is remedied to protect the existing/proposed occupants of the application site and adjacent land.

8. Air Quality- Dust (Construction Sites)

Before development commences the applicants shall submit for written approval to the LPA a scheme of works that sets out the measures that will be taken to minimise dust arising from the development. The dust mitigation measures identified in the scheme shall be carried out and maintained until construction is complete.

Reason: To protect the amenity of local residents during the construction period.

9. Hours of work

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Informatives

1. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning

permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.

2. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

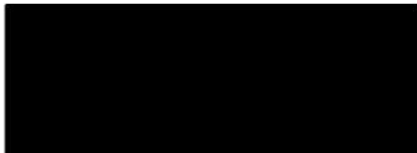
3. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>

4. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

- requesting a bat survey to be undertaken and submitted for consideration;

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

Signed



Clare Lawrence
Head of Development Management & Regulatory Services
Date:

Further Information

Should you require further guidance or information on the conditions and/or reasons set out in this decision notice please contact the Planning Case Officer, Pooja Kumar on telephone number: 0118 974 6626 or by email at: pooja.kumar@wokingham.gov.uk

An officer report on the application and the decision will be available to view online at www.wokingham.gov.uk within a few days of the date of the decision, or otherwise can be viewed in the council offices at Shute End, Wokingham.

The Town & Country Planning (Development Management Procedure) 2015 Article 35 – This decision has been made in accordance with the requirement to work with the applicant in a positive and proactive manner.

DISCHARGE OF CONDITIONS – This consent may contain conditions that require further approval by submission of an application for approval of details reserved by condition and the appropriate fee. Application forms can be obtained for this purpose by visiting the Planning Portal web-site at:
http://www.planningportal.gov.uk/uploads/appPDF/X0360Form027_england_en.pdf
Alternatively a paper version of the form can be requested by phoning Wokingham Borough Council on 0118 974 6000.

APPEALS – If your application has been refused by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government.

The Planning Inspectorate has an online appeals service:
<https://acp.planninginspectorate.gov.uk> which contains information and guides on the appeal process. The Inspectorate will publish details of your appeal on the internet which may include a copy of the application form and associated documents and the completed appeal documents. Please ensure that you only provide information, including personal details, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure that you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal through the above address. Alternatively, you can obtain a form from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0303 444 5000**

If you want to appeal, you must use the correct appeal form from the following list: Planning, Householder, Minor Commercial, Listed Building Consent or Certificate of Lawful Use or Development. The time limits for appeals vary according to the type of application submitted. The period after the date of the Borough Council's decision in which an appeal must be received by the Planning Inspectorate is as follows:

- **8 weeks** in the case of a refusal of 'advertisement consent'
- **12 weeks** in the case of a refusal of a 'householder' application:
 - Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,
 - Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application
- **12 weeks** in the case of a refusal of a 'minor commercial' application:

- Being the refusal of an application for development of an existing building or part of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.
- **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.
- **6 months** in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.
- Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

NEW DWELLINGS – If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 12 weeks before the commencement on site, to arrange for an address and post code to be allocated. Details can be obtained from streetnamingandnumbering@wokingham.gov.uk.

ACCESS TO PRIVATELY OWNED LAND - The applicant is reminded that this permission does not give right of entry to land not in the ownership of the applicant. Permission must be sought from any other landowner(s) if access is required.

BUILDING REGULATIONS - If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

FIRE REGULATIONS - In accordance with the Berkshire Act 1986, when Building Regulation applications are submitted for building(s) or extensions, the Local Authority will reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show the following: -

- i) That there will be adequate means of access for the fire brigade to the building(s) or the extended building(s); and,
- ii) That the building(s) or extension(s) will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

WASTE MANAGEMENT REGULATIONS - In accordance with the Site Waste Management Plans Regulations 2008, where the estimated cost of construction exceeds £300,000, the main contractor or their agent must prepare and maintain a site waste management plan. Further information can be found in the document entitled

'Non – statutory guidance for site waste management plans'
(Defra - April 2008) which can be downloaded from the Defra web site at:
<http://www.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-guidance.pdf>



PURCHASE NOTICES - If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

FACTS

4. 160290 grants permission for a replacement dwelling – now built.
5. 160290 includes 2 plans (block plan and site plan) which include the whole site within the red lien curtilage.
6. Permission approved 160290 for a whole planning residential unit.