



Reading
Borough Council
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**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**APPLICATION TO VARY/REMOVE CONDITION UNDER SECTION 73 OF THE TOWN
AND COUNTRY PLANNING ACT 1990**

To: Turley
4th Floor The Pinnacle
20 Tudor Road
Reading
RG1 1NH

Application No: 230682
Application type: Variation/Removal of
Condition

Applicant: Hammerson

READING BOROUGH COUNCIL as Local Planning Authority hereby **GRANT** planning permission for the development as described below:-

Proposal: Application under Section 73 of Town and Country Planning Act (1990) to remove condition no. 62 of planning permission ref. 970419 (Demolition of existing buildings, redevelopment and change of use to provide: shopping centre (Class A1, A2 & A3), 41 residential units, leisure facilities including multi screen cinema (Class D2), car parking (2390 spaces) and community uses together with associated landscaping etc) to allow the sub-division of 'department store' floorspace. Imposition of new planning condition(s) to restrict use of 'department store' floorspace within Use Class E(a)(b)(d)(e), with a minimum unit size of 1,000 sqm (GIA).

At: The Oracle Bridge 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: 22nd November 2023

Assistant Director of Planning, Transport and
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Application At: The Oracle Bridge Street Reading

Application No: 230682

Application type: Variation/Removal of Condition

CONDITIONS & REASONS

1. Condition 1 of the original planning permission (5 years for implementation) is no longer relevant, as the permission has already been implemented.
2. Condition 2 of the original planning permission (development to be carried out in accordance with the approved plans and details) is no longer relevant, as the various buildings associated with the permission have been implemented.
3. This permission relates only to the plans and drawings included as Schedule 1 in 97/0017/FD / 970419 and the following plans hereby approved as part of this application:

B212392-01 Rev 00 - Riverside Level Existing GA
B212392-02 Rev 00 - Lower Mall Level Existing GA
B212392-03 Rev 00 - Upper Mall Level Existing GA

As all received on 28/07/2023.

Reason: To clarify which plans have been approved and in the interests of proper planning.

4. Condition 4 of the original planning permission (phasing of the proposed development) is no longer relevant, as the condition was confirmed as being satisfied through a letter from RBC dated 17/12/1997 (Ref BJC/KC/PD.5189) and the development was subsequently completed.
5. Condition 5 of the original planning permission (notification of commencement of a phasing of development) is no longer relevant, as the condition has already been satisfied and relates to the construction stage of the original development.
6. Condition 6 of the original planning permission (completion of phase prior to first trading of any floorspace) is no longer relevant, as the development has been completed and trading since 1999.

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7. Condition 7 of the original planning permission (archaeology) is no longer relevant, as the condition has already been satisfied.

8. Condition 8 of the original planning permission (archaeology scheme implemented prior to commencement of development) is no longer relevant, as the condition has already been satisfied.

9. Condition 9 of the original planning permission (pre-commencement public viewing archaeology scheme and related compliance matters) is no longer relevant, as the condition has already been satisfied.

10. Condition 10 of the original planning permission (public art and related matters) is no longer relevant, as the condition was confirmed as being satisfied in full through a letter from RBC dated 10/10/2000 (Ref OR/Cond10/dis/KM). Previously, specific details associated with 'The Beacon' were approved under application 98/00144/RM on 17/04/1998. In addition, the pedestrian bridges details were approved under application 98/00138/RM on 17/04/1998.

11. Condition 11 of the original planning permission (details of pedestrian bridges and the Millennium Tower) is no longer relevant, as the condition has already been satisfied.

12. The security measures and associated works relating to those elements of the scheme adjoining or abutting the British Telecom buildings in Minster Street shall be maintained as implemented, as per the details previously approved, which facilitated the letter dated 13/10/1997 Ref BJC/1283.AN/PD.5289 by RBC which approved details associated with the original permission.

Reason: In the interests of protecting the amenity of nearby occupiers and the wider public, in accordance with Policies CC7, CC8 and CR2 of the Reading Borough Local Plan 2019.

13. Condition 13 of the original planning permission (material details) is no longer relevant, as the condition has already been satisfied.

14. The lighting and associated structures located within all public internal and external sites, including car parks, at the application site shall be maintained and operated as implemented and existing.

Reason: In order to protect the amenity of adjoining and future occupiers and maintain the on-going appearance of the development in accordance with Policies CC7 and CC8 of the Reading

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Borough Local Plan 2019.

15. The Tramways Generating Station date plate and surround, located on the south elevation of the existing cinema building fronting Mill Lane, shall be retained and maintained as existing.

Reason: In the interests of industrial heritage, in accordance with Policy EN1 of the Reading Borough Local Plan 2019.

16. The public toilets, including fully accessible facilities, located at Riverside level as existing as shown on plans 2216-URB-OR-37-DR-A- 208900 Rev 00 Public Toilet Facilities Location Plan and 2200/C1 (95)310 Rev F01 Substructure Drainage Area C Public Utility, both received on 30/10/2023, shall be retained and maintained as existing.

Reason: In the interests of amenity, in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

17. Condition 17 of the original planning permission (shopfront and signage along the Riverside) is no longer necessary.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) or the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended), prior to the first occupation, or re-occupation as appropriate, of any unit which includes an externally facing elevation onto either Riverside level or at ground floor level, details of the window displays and glazing associated with that unit shall be submitted to and approved in writing by the Local Planning Authority. The displays and glazing shall be carried out in accordance with the approved details prior to first occupation/re-occupation and be retained and maintained as such thereafter.

Reason: In the interests of retaining a vibrant and attractive streetscene, maintaining and enhancing the character and appearance of the area and improving active surveillance, in line with Policies CC7, OU5 and CR7 of the Reading Borough Local Plan 2019.

19. An active window display shall be maintained at all times in all retail display windows and shopfronts on external pedestrian routes.

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Reason: In the interests of retaining a vibrant and attractive streetscene and improving active surveillance, in line with Policies CC7, OU5 and CR7 of the Reading Borough Local Plan 2019.

20. Condition 20 of the original planning permission (landscaping, surface treatments and all external works) is no longer relevant, as the condition has already been satisfied.

21. The access to and design of the service area turning head to the rear of Gun Street shall be kept free of obstructions at all times.

Reason: In the interests of pedestrian and road safety and to maintain the character and appearance of the area, in accordance with Policies CC7, CC8, TR1, TR3 and CR2 of the Reading Borough Local Plan 2019.

22. Condition 22 of the original planning permission (realignment of the River Kennet) is no longer relevant, as the condition has already been satisfied.

23. Condition 23 of the original planning permission (finished levels of the River Kennet banks) is no longer relevant, as the condition has already been satisfied.

24. The railings and other safety measures along the River Kennet and Holy Brook banks, as implemented following the approval of details agreed by Planning Committee on 10/12/1997 and 8/3/2000 and as existing as shown on plan 2216-URB-OR-37-DR-A-208902 Rev P01 Riverside Fall Protection and Life Safety Plan, as received 30/10/2023, shall be maintained at the site.

Reason: To protect the amenity of users of the both the pedestrian routes and the River Kennet and Holy Brook, in accordance with Policies CC7, CC8, EN11, TR1, CR2 and CR3 of the Reading Borough Local Plan 2019.

25. Condition 25 of the original planning permission (River works) is no longer relevant, as the condition has already been satisfied.

26. Condition 26 of the original planning permission (Sewerage works) is no longer relevant, as the condition has already been satisfied.

27. Condition 27 of the original planning permission (surface water) is no longer relevant, as the condition has already been satisfied.

28. Condition 28 of the original planning permission (oil/grit interceptor) is no longer relevant, as the condition has already been satisfied.

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29. Condition 29 of the original planning permission (Off-site highway works) is no longer relevant, as the condition has already been satisfied.

30. Condition 30 of the original planning permission (car park signage) is no longer relevant, as the condition has already been satisfied.

31. All deliveries and servicing will be carried out in accordance with the Delivery and Servicing Plan details within '9 Deliveries and Servicing', as received 15/08/2023 and as detailed on plan 2216-URB- OR-37-DR-A-208901 Rev P01 Service and Delivery Location Plan, as received 30/10/2023.

Reason: In the interests of safety and convenience of all highway users, in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

32. There shall be no delivery vehicles servicing the site between the hours of 11am and 4pm on Saturdays and Sundays.

Reason: In the interests of highway and pedestrian safety and to be consistent with other pedestrianised areas of the town centre, in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan 2019.

33. Condition 33 of the original planning permission (temporary parking during construction) is no longer relevant, as construction has taken place and permanent parking is now provided.

34. Condition 34 of the original planning permission (various design details) is no longer relevant, as the condition has already been satisfied.

35. The areas shown on approved plan 2216- Rev 00 Early Place Car Parking Areas, as received 17/11/2023, reserved for the parking of cars and cycles by occupiers of the adjoining residential units south of Minster Street shall be maintained as such and shall not be used for any other purpose.

Reason: As the lack of on-site parking would lead to hazardous or inappropriate use of adjacent streets for parking purposes, in accordance with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

36. All parking for motor cars, service and other vehicles, motorcycles, cycles, including accessible spaces, shall be constructed, surfaced and marked out and kept available or used for parking at all times. No development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order

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2015 (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 these reserved parking areas.

Reason: As the development without these facilities would be likely to lead to vehicles being parked on the public highway to the detriment of road safety and to ensure the development is accessible for all types of transport and to all potential visitors in accordance with the relevant approved standards within Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

37. The measures to control access to and from the public highway and circulation within areas of the car parks shall be maintained as specified on approved plan 2216-URB-OR-37-DR-A-208904 Rev P02 Pedestrian Access Points, as received 10/11/2023, and document F601- 2216 Oracle Access Point Photos.doc Condition 37 Access Points 1-19 by Urban Edge, as received 13/11/2023.

Reason: In the interests of safety and convenience of all highway users and general amenity, in accordance with Policies CC8, TR3 and TR5 of the Reading Borough Local Plan 2019.

38. The pedestrian routes into and within the car parks shall be retained and maintained as specified on the following approved plans: B151712- A02-65 Hiolybrook Car Park Level 6 - Setting Out; B151712-A02-66 Hiolybrook Car Park Level 7 - Setting Out; B151712-A02-55 Riverside Car Park Level 1 - Setting Out; B151712-A02-56 Riverside Car Park Level 2 - Setting Out; B151712-A02-57 Riverside Car Park Level 3 - Setting Out; B151712-A02-58 Riverside Car Park Level 4 - Setting Out; B151712-A02-59 Riverside Car Park Level 5 - Setting Out; B151712-A02- 53 Riverside Car Park Level 6 - Setting Out; B151712-A02-52 Riverside Car Park Level 7 - Setting Out Plan, as all received on 10/11/2023, and: 2216-URB-OR-37-DR-A-208905 Rev P01 Car Park Pedestrian Access / Fire Escape Points, as received 17/11/2023, and kept clear of permanent obstruction at all times.

Reason: In the interests of road and pedestrian safety in accordance with Policies TR3 and TR5 of the Reading Local Plan 2019.

39. Pedestrian access shall be maintained through the malls in the shopping centre between the Riverside entrance (adjacent to unit R16 on approved plan B212392-01 Rev 00 - Riverside Level Existing GA received on 10/11/2023) and the junction of Gun Street, Minster Street and Chain Street (adjacent to unit L30 on approved plan B212392-02 Rev 00 - Lower Mall Level Existing GA received on 10/11/2023) for eighteen hours a day between the hours of 7.00am and 1.00am throughout the year.

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Reason: In the interests of the vitality and viability of the town centre and pedestrian convenience, in accordance with Policies TR1, RL1, CR3 and CR4 of the Reading Borough Local Plan 2019.

40. The approved cycle routes, as shown on approved plan 2216-URB-OR-37-DR-A-208903 Rev P02 Cycle and Pedestrian Access, as received 10/11/2023, shall be retained and kept open and clear of obstruction at all times.

Reason: In the interests of protecting cycle routes through the scheme that link with other town centre or waterway cycle routes, in accordance with Policies TR1 and TR4 of the Reading Borough Local Plan 2019.

41. The approved external pedestrian routes around the scheme as shown on approved plan 2216-URB-OR-37-DR-A-208903 Rev P02 Cycle and Pedestrian Access, as received 10/11/2023, shall remain open and unimpeded for use by the general public for no less than 24 hours a day throughout the year.

Reason: In the interests of the vitality and viability of the town centre and pedestrian safety, in accordance with Policies TR1, RL1, CR3 and CR4 of the Reading Borough Local Plan 2019.

42. Condition 42 of the original planning permission (All public entrances to department stores to remain open when trading) is no longer necessary or relevant.

43. All parts of the development, including the car parks, shall be maintained to be designed to be fully accessible.

Reason: In the interests of the amenities of future occupants, employees and visitors and in accordance with Policies CC7, CC8, TR1, CR2 and CR3 of the Reading Borough Local Plan 2019.

44. Condition 44 of the original planning permission (areas with gradients exceeding 1:20) is no longer relevant, as the condition has already been satisfied.

45. Condition 45 of the original permission (Shopmobility units) is no longer relevant, as the condition is no longer necessary.

46. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external telecommunications equipment, incorporating distribution poles or overhead cables, aerials or satellite dishes shall be erected.

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Reason: As the site is between a significant waterway and two conservation areas and such facilities need to be judged in that context, in accordance with Policies CC7, EN1, EN3, EN5, EN11 and CR2 of the Reading Borough Local Plan 2019.

47. The approved measures to ventilate the basement and south bank car parks to remove vehicle exhaust fumes and enable the control of fumes in periods of high concentrations shall be maintained in accordance with the approved details for as long as the basement and car parks remain in use.

Reason: To ensure that vehicle emissions are controlled in the interests of public health and safety, in accordance with Policies EN15 and CC8 of the Reading Borough Local Plan 2019.

48. No external terminating kitchen extraction system shall be installed until an odour assessment has been carried out and a detailed odour management plan to include scaled plans, odour control specifications and a maintenance plan has been submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the DEFRA guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Jan 2005) when assessing potential odours and selecting appropriate odour control methods. Thereafter, the development shall not be carried out other than in accordance with the approved scheme and be maintained as such thereafter.

Reason: To safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policies CC8, EN15 and EN16 of the Reading Borough Local Plan 2019.

49. The Closed Circuit Television cameras covering the interior and exterior of the development, as shown on the following approved plans: Upper Mall; HBCP L1; HBCP L2; Service areas Lower Mall; Lower Mall; RSCP; Service Yard; Upper Mall service corridors; Upper Mall, as all received on 18/10/2023, and: External cameras, as received 30/10/2023, shall be maintained and be in use at all times at the site.

Reason: To safeguard the amenities of the site and the area generally, in accordance with Policies CC7, CC8 and CR2 of the Reading Borough Local Plan 2019.

50. Condition 50 of the original planning permission (no more than 10 Class A2 units) is no longer relevant.

51. Condition 51 of the original planning permission (siting of Class A2 units) is no longer relevant.

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52. Condition 52 of the original planning permission (removal of permitted change of any unit from Class A3 to Class A2) is no longer relevant.

53. Condition 53 of the original planning permission (removal of permitted development right for any riverside unit be used solely for the sale of hot food for consumption off the premises) is no longer relevant, given the now lawful Sui Generis hot food takeaway use, as per The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

54. Condition 54 of the original planning permission (cinema used for that purpose only unless otherwise agreed) is no longer relevant given the now lawful Sui Generis cinema use, as per The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

55. The Citizens Advice Bureau identified as 'CAB' on approved drawing B212392-02 Rev 00 - Level 2 Existing GA, as received on 28/07/2023, shall be used for those purposes only and for no other purpose, including any other purpose in the same Use Class as defined by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification.

Reason: In the interests of the vitality of the town centre, to ensure town centre community facilities are appropriately located, in accordance with Policies RL1 and OU1 of the Reading Borough Local Plan 2019.

56. Condition 56 of the original planning permission (retention of south bank gallery) is no longer relevant.

57. Condition 57 of the original planning permission (Construction Ecology action plan) is no longer relevant, as the condition has already been satisfied.

58. The waste recycling facilities and strategy referenced in the Site Specific Waste Management Plan The Oracle Shopping Centre By Mitie Version 06 dated 27/04/2023, as received 15/08/2023 and email from Turley Ref 'RE: 230682 - S.73 The Oracle, Reading' (confirming waste collection also takes place from the same storage locations identified in the document) dated 17/10/2023, shall be maintained at the site.

Reason: In the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policies CC7, CC8 and TR3 of the Reading Borough Local Plan 2019.

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59. Prior to any sub-division of any part of the 'application floor space' (as per approved plans B212392-01 Rev 00 - Riverside Level Existing GA, B212392-02 Rev 00 - Lower Mall Level Existing GA and B212392-03 Rev 00 - Upper Mall Level Existing GA, as all received on 28/07/2023) to create a new planning unit, a future unit specific Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for where required:

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works.
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
- i) Provisions to be made for the control of noise coming from the site during demolition and construction;
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements.

The measures within the approved Statement shall be adhered to throughout the demolition and construction period.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policies CC8, EN15, EN16 and TR3 of the Reading Borough Local Plan 2019.

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60. Condition 60 of the original planning permission (programmes and schedules of works for Nos 2/4 London Street and 19 Bridge Street) is no longer relevant, as the condition has already been satisfied.

61. Condition 61 of the original planning permission (no development until Reading Transport vacates its depot) is no longer relevant.

62. Condition 62 is hereby granted to be removed.

63. Condition 63 of the original planning permission (residential sound attenuation) is no longer relevant.

64. Condition 64 of the original planning permission (noise report) is no longer relevant.

65. Condition 65 of the original planning permission (open storage of materials, products, plant or equipment) is no longer relevant.

66. Condition 66 of the original planning permission (Minimum of 4 Class A3 uses within the covered mall) is no longer relevant.

67. Condition 67 of the original planning permission (details of entrance area from Minster Street south to the proposed department store) is no longer relevant.

68. The number of cycle parking spaces on the development site provided for the public shall not fall below 230 spaces and for the staff below 30 spaces. The cycles/motorcycles spaces provided at the site shall be maintained.

Reason: To encourage travel by sustainable alternatives to driving a motorcar, in accordance with Policies TR1 and TR5 of the Reading Borough Local Plan 2019.

69. Condition 69 of the original planning permission (Bailey Bridge details) is no longer relevant.

70. Condition 70 of the original planning permission (decontamination works and proposed remediation) is no longer relevant.

71. There shall be no contract parking in the North (Holy Brook) and south bank (The Riverside) car parks.

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Reason: In the interests of the vitality of the town centre and the Council's transport strategy, in accordance with Policies TR1, TR5 and RL1 of the Reading Borough Local Plan 2019.

72. Condition 72 of the original planning permission (replacement planting for three years) is no longer relevant.

73. The landscape areas around the application site shall be maintained in accordance with the Grounds Maintenance Specification report by Mulberry Grounds Maintenance, contract letter dated 02/04/2007 by Mulberry and email from Ciaran Kiely at RPS dated 24th November confirming that trees that are dead, diseased or vandalised will be replaced and plants and trees will be watered as necessary (all approved as part of 08/01140/APPCON / 081664 on 02/12/2008).

Reason: In order to ensure the satisfactory maintenance of the approved landscaping scheme, in accordance with Policies CC7, EN12, EN14, CR2 and CR3 of the Reading Borough Local Plan 2019.

74. Condition 74 of the original planning permission (ground floor parking layout) is no longer relevant.

75. Condition 75 of the original planning permission (details of the east end leisure development) is no longer relevant.

76. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no unit created within with the areas marked 'application floor space' on plans B212392-01 Rev 00 - Riverside Level Existing GA, B212392-02 Rev 00 - Lower Mall Level Existing GA and B212392-03 Rev 00 - Upper Mall Level Existing GA, as all received on 28/07/2023, hereby approved shall only be used for any of following uses only

- Class E(a) Display or retail sale of goods, other than hot food
- Class E(b) Sale of food and drink for consumption (mostly) on the premises
- Class E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink)
- Class E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)

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and for no other purpose (including any other purpose in the same Use Class of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: Other alternative uses of the units which may otherwise be permitted by virtue of the above Orders have not been assessed as part of this application and could be harmful to the vitality or viability of the wider regional centre of Reading and/or could have adverse transport or amenity implications which have not been demonstrated as part of this proposal, in accordance with Policies CC8, TR1, TR3, RL1 and CR1 of the Reading Borough Local Plan 2019.

77. No unit created within with the areas marked 'application floor space' on plans B212392-01 Rev 00 - Riverside Level Existing GA, B212392-02 Rev 00 - Lower Mall Level Existing GA and B212392-03 Rev 00 - Upper Mall Level Existing GA, as all received on 28/07/2023, hereby approved shall include a Gross External Area (GEA) floorspace of less than 1000 square metres (sqm).

Reason: As a large number of units below 1000sqm in size has not been assessed as part of this application and could be harmful to the vitality or viability of the wider regional centre of Reading and could have adverse transport or amenity implications which have not been demonstrated as part of this proposal, in accordance with Policies CC8, TR1, TR3, RL1 and CR1 of the Reading Borough Local Plan 2019.

78. Prior to the first occupation of any 'application floor space' unit a plan specifying the location of the unit in the context of the remainder of the 'application floor space' (as per approved plans B212392-01 Rev 00 - Riverside Level Existing GA, B212392-02 Rev 00 - Lower Mall Level Existing GA and B212392-03 Rev 00 - Upper Mall Level Existing GA, as all received on 28/07/2023) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the unit is maintaining and enhancing the vitality and viability of the wider regional centre of Reading, to ensure that the unit is of sufficient size in respect of the nature of these proposals and to enable the uses to be actively monitored by the Local Planning Authority, in accordance with Policies RL1 and CR1 of the Reading Borough Local Plan 2019.

79. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no further extension or enlargement (including alterations to the roof or the inclusion of mezzanine floor levels within the building),

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within the areas marked as 'application floor space' (as per approved plans B212392-01 Rev 00 - Riverside Level Existing GA, B212392-02 Rev 00 - Lower Mall Level Existing GA and B212392-03 Rev 00 - Upper Mall Level Existing GA, as all received on 28/07/2023) shall be carried out without the express planning permission from the Local Planning Authority.

Reason: Justification has been provided and an assessment made on the basis of the proposed amount of floorspace specified and any increase in floorspace would require a separate justification and assessment in respect of its accordance with relevant policies such as the transport and amenity implications, which have not been demonstrated as part of this proposal, in accordance with Policies CC7, CC8 and TR3 of the Reading Borough Local Plan 2019.

80. No Class E(b) [sale of food and drink for consumption (mostly) on the premises] or Class E(d) [Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink)] unit hereby approved within the areas marked as 'application floor space' (as per approved plans B212392-01 Rev 00 - Riverside Level Existing GA, B212392-02 Rev 00 - Lower Mall Level Existing GA and B212392-03 Rev 00 - Upper Mall Level Existing GA, as all received on 28/07/2023) shall be used by members of the public outside the hours of 08:00 hours to 00:00 hours on Mondays to Saturdays and 08:00 hours to 23:00 hours on Sundays, Bank Holidays and other statutory holidays.

Reason: In order to protect local residents and users of the area in general from unreasonable disturbance arising from the use(s) in accordance with Policies CC7, CC8, EN16 and CR6 of the Reading Borough Local Plan 2019.

81. Prior to the first occupation of any Class E (d) use incorporating a gym use, as hereby approved, a noise assessment shall be submitted to and approved, in writing, by the Local Planning Authority. The noise assessment shall include an assessment of the noise environment within the unit and inclusion of any required mitigation measures (including to the internal structure of the unit itself) to protect nearby occupiers from noise and disturbance, including structure borne noise. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the resultant structure is such that the indoor ambient noise levels within adjoining and nearby premises do not exceed the appropriate values for the use of the premises detailed in Table 4 of BS 8233:2014 as a result of noise from the gym and the impact noise does not cause disturbance to occupiers. Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before the first occupation of any gym use within the relevant unit, and retained/maintained as such thereafter.

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Reason: To protect the amenity of future occupants/users of the buildings at the application site, in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the agreed extended timescale for the decision to be issued.
2. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
3. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
4. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact RBC Building Control on Building.control@reading.gov.uk OR telephone 0118 9372449 9.00am to 1.00pm Monday to Friday
5. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.
6. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the

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space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is nil charge. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

7. The applicant is advised to be mindful of the impact of condition 77 (minimum 1000sqm floorspace) in the context of the existing (now recently closed as of September 2023) Riverside units ('Franco Manca' and 'The Real Greek') within the former Debenhams unit shown on the proposed floorplans submitted with this application. The applicant is advised to consider paragraphs 7.1.16 - 7.1.19 of the officer committee report in this regard.

8. No advertisement consents are approved as part of this planning permission and you are advised that this permission is granted without prejudice to the possibility of requiring consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

9. With regard to condition 18, for the avoidance of any possible future doubt, the applicant is advised that there is no requirement to submit details of the external glazing at Lower Mall or Upper Mall Level for the approval of the Local Planning Authority, nor glazing details associated with any window display or glazing located internally within the shopping centre either.

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against the Council's decision on your application, you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If the above circumstances do not apply, any appeal must be made within the following time limits. If this is a householder application and you want to appeal against the Council's decision then you must do so within 12 weeks of the date of this notice. If this is an advertisement application and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice. If you want to appeal against your local planning authority's decision for any other type of application (which is not a householder or advertisement application, or an application for a Certificate of Lawfulness) then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 he 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 in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.