

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

APPLICATION FOR FULL PLANNING PERMISSION

To: Architecture & Interior Design Ltd
51 Coleshill Road
Hodge Hill
Birmingham
B36 8DT

Application No: 230695
Application type: Full Planning Approval

Applicant: Express Team ltd

READING BOROUGH COUNCIL as Local Planning Authority **GRANT FULL** planning permission for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Change of use from Sui Generis (Betting Shop) to E(b) Restaurant with ancillary Sui Generis takeaway and canopy extraction to the rear of the property (part retrospective)

At: 109B Oxford Road Reading RG1 7UD

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: 2 February 2024



SDV

Assistant Director of Planning, Transport and
Public Protection Services

Application At: 109B Oxford Road Reading RG1 7UD

Application No: 230695

Application type: Full Planning Approval

CONDITIONS & REASONS

1) The Class E (b) restaurant use hereby approved shall cease within 1 month from the failure to comply with any one of the requirements set out in conditions 2 and 3 of this permission 230695/FUL and the use shall not be carried out at any time thereafter.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

2) The development hereby approved shall have been implemented and all unauthorised works (as set out in the extant Enforcement Notice dated 17 January 2020 - reference Legal/SQ/IKEN13003) shall have been removed from the site within 2 months from the date of this permission.

REASON: In the interests of preserving the character and appearance of the Russell Street/Castle Street/Oxford Road Conservation Area in accordance with Policies CC7 and EN3 of the Reading Borough Council Local Plan 2019.

3) The Kitchen Ventilation System shall be installed strictly in accordance with the approved plans and specifications, including the mitigation measures specified within the odour and noise assessments 'Revised Noise Control Assessment Letter Ref MDR/J5015e dated 29th August 2023, Odour Letter Ref Project No 150 by Michael Bull & Associates dated September 2023'. The ventilation system shall be managed and maintained in accordance with the approved plans and specifications at all times thereafter. All maintenance shall be documented and recorded on site at time of service and those documents and records shall be provided to the Local Planning Authority within 7 days of written request.

REASON: To safeguard the amenity of nearby premises and the area generally in accordance with Policy CC8 and EN16 of the Reading Borough Local Plan 2019.

4) The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

Location and Block Plan Dwg No.1.0 dated 27th April 2023

Proposed Plans and Elevations Dwg No.3.0 dated 27th April 2023

Received 28th April 2023

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

5) The specific sound level of the kitchen ventilation system hereby approved, (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external

Date: 2 February 2024



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to the nearest noise-sensitive façade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all kitchen ventilation system (or any part of it) is in operation.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policies CC8 and EN17 of the Reading Borough Local Plan 2019.

6) The premises shall not be open to the public outside the hours of 1130hrs - 2300hrs on Sundays to Thursdays and Bank Holidays and 1130hrs - 2330hrs on Fridays and Saturdays.

REASON: In the interests of safeguarding the amenity of nearby occupiers, in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

7) Hours for deliveries are restricted to 0800hrs to 2000hrs Monday to Saturdays and 1000hrs to 1800hrs on Sundays and Bank Holidays.

REASON: To protect the amenity of neighbouring residents of the proposed development in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

8) The measures within the approved bin storage and litter management plan - ref.2017-0176 dated 12 April 2022 shall be permanently retained, maintained and adhered to for the lifetime of the development.

REASON: To control litter resulting from the use in the interests of the visual amenity of the area. In accordance with Policies CC7 and CC8 of the Reading Borough Local Plan 2019.

9) The main use of the premises hereby approved shall be as a Class E (b) (Restaurant) only.

REASON: To ensure that the Planning Authority retains effective control over the use of the premises and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

INFORMATIVES

- 1) 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.
- 2) 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.
- 3) 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

Date: 2 February 2024



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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.

- 4) The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.
- 5) The developer is advised that this matter may be subject to formal enforcement action, should the Local Planning Authority consider it expedient to do so.

Date: 2 February 2024



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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/appeal-planning-decision>

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.

Street Naming & Numbering

You must contact Reading Borough Council to:

- Name or number a new development
- Name a new street
- Get addresses for flat conversions
- Name or rename an existing building

Otherwise the following may occur:

- You will not have an official address or postcode. When your property goes through the official process it may be given a different address and Postcode than you are currently using.
- You may have difficulty receiving mail
- You may have problems when buying goods or services such as utilities and telecommunications
- The emergency services may have difficulty locating you.
- You may have problems accessing Council services such as Education, Parking Services and Electoral Registration.

The Council is responsible for assigning house names and numbers and street names. It is also responsible for updating the National Land and Property Gazetteer (NLPG) which is a list of addresses which meet a common standard (BS7666) used throughout the country.

When a new address or change of address is requested, the Council contacts Royal Mail who check the address on behalf of the Emergency Services, assign a postcode and add it to their Postal Address File (PAF). The PAF list is used by many companies and services to check addresses, authenticate transactions and order goods, as well as deliver mail, so it is in your interest for your address to be on that list. Royal Mail will not create an address until requested to do so by the Council.

How to apply:

Email us using streetnamingnumbering@reading.gov.uk

Or telephone us on 0118 9373737

What we need to complete your request:

For new addresses or flat conversions:

- Site layout plan containing plot numbers
- Location plan - No bigger than A3 size (hard copy, PDF, JPEG or AutoCAD) showing the site boundary, including the new development, together with surrounding buildings for reference
- Anticipated completion and occupation dates

For change of address:

- You must be, or have authorisation from, the owner to request a change of address.
- Floor plan of the existing property
- Reason for change

Once created, the Council informs various bodies of your new address including the Emergency Services, Council Tax, Land Registry and utility companies as well as adding it to the National Land and Property Gazetteer.

Please be advised that companies and services using the PAF file only update the addresses monthly, quarterly or even less frequently, therefore it may take a while for your address to be listed in some places. It will, however, appear on the Royal Mail website within a few days once it has been added to the live address file.

Reading Borough Council has no control over the frequency by which other organisations update their address files.