

**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: Mr Waqar Ullah
229C London Road
Reading
RG1 3NY

Application No: 201541
Application type: Variation of Condition

Applicant: Mr Waqar Ullah

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

Proposal: Change of use from Car Part Sales (A1 Retail) to combined Internet Cafe (A1 Retail) and Hot Food Takeaway (A5) and alterations to shopfront

At: 229 London Road Reading RG1 3NY

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: 12 May 2022



SDV

Assistant Director for Planning, Transport &
Regulatory Services

Application At: 229 London Road Reading RG1 3NY

Application No: 201541

Application type: Variation of Condition

REASONS

1. Due to the poor quality of information provided, it has not been demonstrated that no significant harm would be caused to neighbouring residential amenities in terms of noise generated by extraction equipment. The development is therefore contrary to Policies CC8 and EN16 of the Reading Borough Local Plan (2019).
2. Due to the poor quality of information provided, it has not been demonstrated that no significant harm would be caused to neighbouring residential amenity in terms of odour nuisance. The development is therefore contrary to Policy CC8 of the Reading Borough Local Plan (2019).

INFORMATIVES

1. The refusal relates only to the following plans and documents, as received by the Local Planning Authority:
Site Location (received 03/11/20)
Noise Impact Assessment by Venta Acoustics ref: VA3460.201211.NIA (received 15/12/20)
DEFRA Odour Assessment by Venta Acoustics ref: VA3460.201211.DOA (received 15/12/20)
2. This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission. Please see the following link to the Council's pre-application service here:
<https://images.reading.gov.uk/2019/12/Pre-app-November-2021-final-2.11.pdf>. The Council has worked positively and proactively to determine the application.

Date: 12 May 2022



SDV

Assistant Director for Planning, Transport &
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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.