

**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 Design Limited
Fitted Rigging House
The Historic Dockyard
Chatham
Kent
ME4 4TZ

Application No: 201585
Application type: Full Planning Approval

Applicant: ARA FT Investment Ltd t/a Fat Twins Reading

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 an estate agent use class E to a restaurant and hot food takeaway sui generis use class

At: 109a 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: 31 March 2022



RJE

Head of Planning, Development
& Regulatory Services

Application At: 109a Oxford Road Reading RG1 7UD

Application No: 201585

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CONDITIONS & REASONS

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

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 permitted shall ONLY be carried out in accordance with the following approved plans:

- Drawing No: A.02.3 Proposed Plans received on 20th January 2021
- Drawing No: A.02.5 Proposed Elevations received on 1st March 2021
- 3947 Noise Assessment Final by Lustre dated June 2021 and received on 11 June 2021
- Design and Specification for Kitchen Ventilation System produced by Springfield dated 12 January 2021 plus acoustic cover detail produced on 28 October 2021 and received on 31 October 2021.

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.

3. Materials approved

Before works begin on the changes to the shopfront hereby permitted the materials to be used in the construction of the new shopfront shall be submitted for approval by the Local Planning Authority. Thereafter only the materials as approved shall be used to complete the shopfront.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 and EN3 of the Reading Borough Local Plan 2019.

4. Opening times

The premises shall not be used by members of the public outside the hours of 9:00am - 11:00pm on Sunday to Thursday and outside 9:00am - 23:30 on Friday and Saturday.

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

5. Noise Control

The Kitchen Ventilation System shall be installed in accordance with the approved acoustic assessment, including the acoustic enclosure, to the satisfaction of Council

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officers before the use hereby permitted is made open to the public. Thereafter the ventilation system shall be managed and maintained in accordance with the approved noise mitigation specifications with the schedule of cleaning and maintenance works made available for inspection by Council officers.

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

6. Odour Controls

The Kitchen Ventilation System is to be installed strictly in accordance with the specifications as approved to mitigate cooking odours to the satisfaction of Council officers. The use hereby permitted shall not be made open to the public until an odour risk assessment has been carried out and a detailed odour management plan to include odour control specifications with a schedule of weekly cleaning and maintenance schedule has been submitted to and approved in writing by the Local Planning Authority. Thereafter the odour management plan shall be adhered to and the cleaning and maintenance schedule made available for inspection by Council officers.

REASON: These details are required to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

7. Waste & Litter Management Plan

A Waste & Litter Management Plan shall be submitted for the written approval of the Local Planning Authority before the use hereby permitted is made open to the public. The Waste & Litter Management Plan shall include details of:

- where commercial waste is to be stored on site and this area managed, how and how often the waste bins will be collected,
- how waste bins are to be protected from vermin and,
- how litter arising from customers of the use is to be managed.

The Waste & Litter Management Plan shall be implemented from the first day of being open to the public and thereafter followed as approved.

REASON: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection, to protect waste and neighbours from vermin and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and residential amenity - Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

8. Deliveries etc.

Deliveries, servicing and waste collection shall not take place outside the times of 8:00am - 18:00pm Monday - Saturday and 10:00am - 18:00 on Sundays and Bank Holidays.

REASON: In the interest of the safety and convenience of all highway users and to protect the amenities of neighbouring residents in accordance with Policy TR3, TR5 and CC8 of the Reading Local Plan 2019.

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9. Construction Times

No construction or associated deliveries shall take place outside the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 08:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank Holidays without prior written approval from the Local Planning Authority.

REASON: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The Local Planning Authority has tried to work positively and proactively with the applicant to resolve relevant matters raised by neighbours to finally allow permission to be granted within an extended timescale for the decision to be issued.

2. 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.

3. You are advised that records of adherence to the conditions relating to noise, odour and waste management are essential to demonstrate compliance with these conditions.

4. The site lies in Reading's High Street Heritage Action Zone where owners and tenants are being encouraged to get involved in improving the condition and appearance of individual buildings and their forecourt areas to benefit the overall character of the public realm. This is primarily based on celebrating the heritage of the area but also involves working with and bringing together the existing local community. The applicant will be expected to play an active part in this project working with the Council and the HSHAZ project team to improve the property and forecourt area.

5. The applicant is advised to visit our website for more advice on premises licences.

<https://www.reading.gov.uk/business/licences/alcohol-and-entertainment-licences/premises-licence/>

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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.

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.