

Application No: 88/TP/1261

READING BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977 - 1985

To: **Standard Tandoori Restaurant,**
c/o Reable Bosley Partnership
Mortimer Hill,
Mortimer,
Nr. Reading, RG7 3PG

**APPROVAL OF
FULL DETAILED
APPLICATION**

On the **11th January, 1989** the **READING BOROUGH COUNCIL,**
as Local Planning Authority, **GRANTED** planning permission for the following development:-

change of use of laundrette to restaurant to provide improved facilities including separate lounge and bar area, provision of disabled toilet and increased male and female toilets, improved deliveries and storage of materials (no increase in number of seats) new kitchen at 141-145 Caversham Road, Reading.

subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which the permission was granted.
2. The development hereby approved shall be carried out and completed in all respects in accordance with the submitted plans and details before the building(s) are occupied, except as may be subsequently agreed in writing by the Local Planning Authority.

see attached

REASONS FOR THE IMPOSITION OF CONDITIONS

Conditions:

1. To prevent an accumulation of unimplemented planning permissions, and in accordance with Section 41(1) of the Town and Country Planning Act, 1971.
2. To ensure the completion of the development in accordance with the approved plans and details before occupation of the building(s) takes place.

see attached

OTHER STATUTORY CONSENTS MAY BE REQUIRED; this permission relates only to that necessary under the Town and Country Planning Act, 1971.

Date:

11 3 MAR 1989

Deputy

Chief Executive and Town Clerk

PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

APPEALS

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

(a) The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971, namely sections 29(1), 30(1), 67 and 74 of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any persons aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 29A AND 29B TOWN AND COUNTRY PLANNING ACT 1971

29A.—(1) When granting planning permission for any development which will result in the provision—

(a) of a building or premises to which section 4 of the Chronically Sick and Disabled Persons Act 1970 applies (building or premises to which the public are to be admitted whether on payment or otherwise);

(b) of any of the following, being in each case, premises in which persons are employed to work,—

(i) office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;

(ii) premises which are deemed to be such premises for the purposes of that Act; or

(iii) factories as defined by section 175 of the Factories Act 1961, the local planning authority shall draw attention of the person to whom the permission is granted—

(i) to the relevant provisions of the Chronically Sick and Disabled Persons Act 1970; and

(ii) to the Code of Practice for Access for the Disabled to Buildings.

(2) In subsection (1) of this section—

“the relevant provisions of the Chronically Sick and Disabled Persons Act 1970” means—

(a) for the purposes of paragraph (a), sections 4 and 7;

(b) for the purposes of paragraph (b), sections 7 and 8A; and “the Code of Practice for Access for the Disabled to Buildings” means the British Standard Institution code of practice referred to as BS 5810: 1979.

(3) Section 28 of the Chronically Sick and Disabled Persons Act 1970 (power to define certain expressions for the purposes of provisions of that Act) shall have effect as if any reference in it to a provision of that Act included a reference to this section].

29B.—(1) When granting planning permission for any development which will result in the provision of a building intended for the purposes—

(a) of a university, university college or college, or of a school or hall of a university; or

(b) of a school within the meaning of the Education Act 1944, a teacher training college maintained by a local education authority in England or Wales or any other institution providing further education pursuant to a scheme under section 42 of that Act, the local planning authority shall draw the attention of the person to whom the permission is granted—

(i) to sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970; and

(ii) to the Design Note.

(2) In subsection (1) of this section “the Design Note” means Design Note 18 “Access for the Physically Disabled to Educational Buildings,” published on behalf of the Secretary of State.

(3) Section 28 of the Chronically Sick and Disabled Persons Act 1970 (power to define certain expressions for the purposes of provisions of that Act) shall have effect as if any reference in it to a provision of that Act included a reference to this section].

HAZARDOUS WASTE & MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipework) needing disposal.

Under the requirements of the Control of Pollution Act 1974 and regulations made thereunder it is an offence if such material is not deposited in appropriate sites licenced by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Waste Management Branch, County Surveyor's Department,
Berkshire County Council, Shire Hall, Shinfield Park, Reading RG2 9XG Tel: Reading 875444

There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. The County Surveyor's Waste Management Group have agreed to list and map all such sites and copies will be available from the above address.

BUILDING REGULATIONS

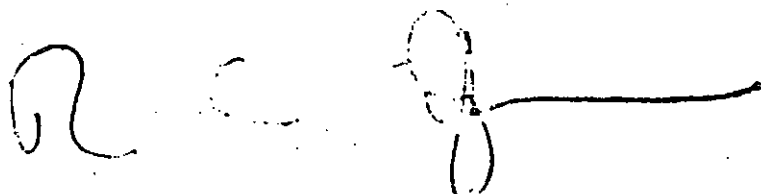
This planning permission does not give approval under the Building Regulations. Before any works are commenced you should check with the Building Control Section of the Planning Department whether any approval is required under the Building Regulations.

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141-145 CAVERSHAM ROAD

CONDITIONS/REASONS (continued)

3. The areas, shown on the submitted drawings reserved for the parking of vehicles shall be constructed, surfaced and marked out and kept available or used for such purposes at all times to the satisfaction of the Local Planning Authority. No development, whether or not permitted by the Town and Country Planning General Development Order 1988, as amended, shall be carried out on such areas or in such a position as to restrict vehicular access to these reserved parkings areas. Reason: as the development, without the provision of off-street parking facilities, would be likely to lead to vehicles parked on the public highway to the detriment of visual amenity and road safety.
4. Details of adequate filtration systems shall be submitted to and approved by the Local Planning Authority before any development is commenced. Reason: in order to protect the amenity of neighbouring residential properties.
5. Noise arising from the occupation or operation of the premises shall not give rise to an increase in ambient noise levels at adjacent premises. Reason: in order to protect the amenity of neighbouring residential properties.
6. No. 141 Caversham Road shall be used as a waiting area/bar area only as shown on the approved drawings and shall at no time be used for the consumption of food. Reason: as an increase in the restaurant area would lead to an increase in activity detrimental to the amenity of the area.
7. No further development whether or not permitted by the General Development Order 1988 (as amended) or the Use Classes Order 1987 shall be carried out without the permission of the Local Planning Authority. Reason: as, in view of the nature of this development and its relationship to property nearby, unrestricted minor alterations, additions or changes of use could have a serious impact on neighbouring properties and the traffic conditions in the area.
8. The number of seats available to diners for the purpose of consuming food shall at no time exceed 90 seats. Reason: as an increase in the restaurant area would lead to an increase in activity detrimental to the amenity of the area.

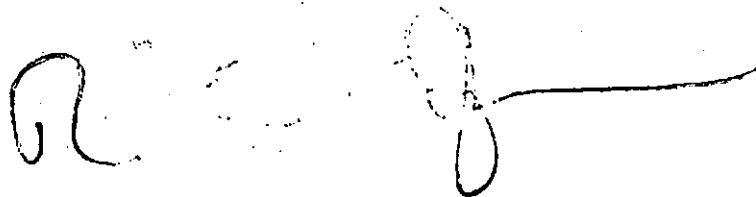
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141-145 CAVERSHAM ROAD

CONDITIONS/REASONS (continued)

9. No. 99 Swansea Road shall be used for residential purposes only as shown on the approved drawings. Reason: in order to ensure there is no expansion of the restaurant use to the detriment of the amenity of the area.
10. Nos. 141-145 shall not be used for the preparation or sale of hot food between the hours of 00.00 and 09.00. Reason: in the interest of amenity.
11. All deliveries of goods used in connection with the restaurant use shall take place between the hours of 10.00 and 15.00 only, Monday to Saturday and not at all on Sunday. Reason: in the interest of amenity.
12. All waste material stored in the open shall be stored in the areas shown on the approved plans only. Reason: in the interest of amenity.
13. Before any development is commenced space shall be provided within the site to accommodate:
 - (i) parking of vehicles of site personnel, operatives and visitors;
 - (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;and each facility shall be maintained throughout the course of construction of the development free from any impediment to its designated use. Reason: as the development, without such facilities, would be likely to lead to parking, loading/ unloading and storage of plant and materials on the public highway to the detriment of road safety.



Date: 13 MAR 1969

Deputy Chief Executive & Town Clerk