

**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: Solve Planning Ltd
Sentinel House, Ancells Business Park
Harvest Crescent
Fleet
GU51 2UZ

Application No: 201558
Application type: Outline Planning Approval

Applicant: Sorbon Estates 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: Outline application for a drive-thru coffee shop of 189sqm and a new access at Reading Link Retail Park, Rose Kiln Lane (appearance, layout, scale and landscaping reserved for future consideration).

At: Reading Link Retail Park Rose Kiln Lane 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: 22 July 2021



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& Regulatory Services

Application At: Reading Link Retail Park Rose Kiln Lane Reading

Application No: 201558

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CONDITIONS & REASONS

1. Application for approval of the reserved matters shall be made to the Local Planning Authority no later than three years from the date of this outline permission.

Reason: Under section 92 of the Town and Country Planning Act 1990, applications for approval of reserved matters must normally be made within three years from the date outline planning permission was granted.

2. The development hereby permitted shall be commenced no later than either:-

a) the expiration of three years from the date of this permission; or b) the expiration of two years from the date of approval of the last reserved matters to be approved under the terms of this permission, whichever is the later.

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.

3. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- a) The scale of the development
- b) The layout of the development including the internal layout of all buildings;
- c) The external appearance of the development;
- d) The landscaping of the site;

The development shall thereafter be carried out fully in accordance with the approved reserved matter details.

Reason: To ensure a satisfactory form of development and in accordance with the provisions of Article 4 of the Town & Country Planning (General Development Procedure) Order 1995 (as amended by the Town & Country Planning (General Development Procedure) (Amendment) (England) Order 2006).

4. Pursuant to the approval of the 'Appearance' reserved matter, no development shall commence until details and a schedule of materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the building and the appearance of the street scene in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

Date: 22 July 2021



SDV

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

Drawing No: Location Plan RLRPRKL_PLN_101

Drawing No: Existing Block Plan RLRPRKL_PLN_104

Received 6th November 2020

Drawing No: Proposed Site Plan RLRPRKL_PLN_103 Rev B

Drawing No: Proposed Block Plan RLRPRKL_PLN_102 Rev B

Received 3rd March 2021

Drawing No: Pedestrian Access 2009052 01 Rev A

Drawing No: Swept Path Analysis Starbucks Rigid Lorry 2009052 TK01 Rev A

Drawing No: Swept Path Analysis Starbucks Rigid Lorry 2009052 TK02 Rev A

Drawing No: Swept Path Analysis Access 2009052 TK03

Received 25th January 2021

Tree Protection Plan, Implications Assessment and Method Statement Received 19th January 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.

6. The details submitted in accordance with condition (3) requiring the approval of the landscaping for the site as a reserved matter, shall include:

a) Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas;

b) Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc);

c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;

d) A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting;

e) routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points;

Reason: In the interest of ensuring that the development enhances the visual local environment in accordance with Policy EN14 and Policy CC7 of the Reading Borough Local Plan 2019.

7. No development shall commence on site until a Section 278 Agreement has been entered into with the Highways Authority in order to secure the pedestrian and vehicular accesses in accordance with drawing reference 'Site Plan' No.

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

RLRPRKL_PLN_103 Rev B received 3rd March 2019. These vehicular and pedestrian accesses shall be completed prior to occupation of the proposed drive through coffee shop and retained as such thereafter.

Reason: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

8. (a) No development shall commence on site until details of an electric vehicle charging scheme comprising a layout plan and detailed specification has been submitted to and been approved in writing by the Local Planning Authority to show how two electric vehicle charging facilities can be provided on site.

(b) No building or use hereby permitted shall be occupied or the use commenced until the electric vehicle charging facilities for that building or use has been completed as shown on the approved plan. (c) Thereafter the electric vehicle charging facilities shall be kept free of obstruction and available for the approved use at all times.

Reason: In the interests of environmentally sustainable transport in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

9. No development shall commence on site, including any works of demolition, until a site specific Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for:

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) 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. 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 unless otherwise agreed in writing by the Local Planning Authority.

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

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

or neighbouring residents, the character of the area and highway safety in accordance with Policy CC8 and TR3 of the Reading Borough Local Plan 2019.

10. No development shall commence on site (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented at all times during which construction works are being carried out within the site strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with Policy EN12 of the Reading Borough Local Plan 2019 and Paragraphs 170 and 175 of the NPPF.

11. No lighting shall be provided within the site until a lighting plan report including a full details of the lighting and demonstrating how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:

- a) A layout plan with beam orientation
- b) A schedule of equipment
- c) Measures to avoid glare
- d) An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.

No external lighting shall be provided within the site except in accordance with the approved lighting plan report at any time.

Reason: To limit the impact of light pollution from artificial light on nature conservation and to ensure that the development does not lead to deterioration in the ecological value of the adjacent Holy Brook which is a priority habitat and a Local Wildlife Site in accordance with Policies EN11 and EN12 of the Reading Borough Local Plan 2019 and paragraphs 170, 174 and 180 of the NPPF.

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

12. No development shall commence on site until an ecological management plan has been submitted to and approved in writing by the council. The ecological management plan is to run for a period of at least five years is to comprise as a minimum the following:

- a) Detailed description and maps of habitats on and adjacent to the site, including the Holy Brook and its boundary vegetation
- b) Clear long and short term aims and objectives for the site, to include measures to restore and enhance the river corridor and to provide new and replacement tree (including details of tree pits), hedgerow planting and litter bins.
- c) Prescriptions to achieve the aims and objectives of the plan to include details of the organisation[s] that will be responsible for implementing the prescriptions;
- d) Details of how the aims, objectives and prescriptions will be monitored, and what processes will be put in place to ensure that the plan is iterative (ensuring its aims and objectives are met and that management is adjusted to ensure that this is the case).

Reason: To ensure that the development does not lead to deterioration in the ecological value of the adjacent Holy Brook which is a priority habitat and a Local Wildlife Site in accordance with Policies EN11 and EN12 of the Reading Borough Local Plan.

13. No development shall commence on site until an Air Quality Assessment to determine whether the proposed development will result in a worsening impact on air quality has been submitted. The assessment must use a full dispersion model to predict the pollutant concentrations at the building façade for the proposed year of occupation as well as any impacts during the development phase. The input parameters used in the assessment must be in accordance with current best practice. Where the assessment identifies a worsening of air quality, a mitigation plan shall be submitted to and approved in writing by Local Planning Authority. The mitigation plan must quantify the impact on emissions the proposed mitigation will have, in order to demonstrate that any detrimental impact from the development will be offset. Thereafter, the development shall not be carried out other than in accordance with the approved mitigation scheme, which shall be implemented before any part of the development is occupied.

Reason: These details are required due to insufficient information being contained within this submission and in order to protect the health of borough residents in accordance with Policy EN15 of the Reading Borough Local Plan 2019.

14. Protective measures, including fencing, ground protection, supervision and working procedures shall be carried out in accordance with the Tree protection plan, implications assessment and method statement from David Archer Associates dated Nov 2020 (excluding landscape provision). No deviation from the works prescribed or methods agreed in the report shall occur except with the prior written approval of the Local Planning Authority.

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

Reason: In order to ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with Policy EN14 of the Reading Borough Local Plan 2019.

15. No development shall commence on site until a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard demonstrating compliance with a minimum standard of BREEAM Very Good rating has been submitted to and approved in writing by the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and in order to ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

16. Prior to first occupation of the development hereby approved, a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the development has attained as a minimum the standard set out in the Interim BREEAM Certificate referred to in condition 15.

Reason: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

17. No building hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the plans hereby approved.

Reason: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

18. Prior to first occupation of the development hereby approved, a Delivery and Servicing Plan to manage how vehicles shall access the development without creating safety concerns and congestion based on the anticipated number of vehicle trips associated with delivery and servicing vehicles for the development shall be submitted to the Local Planning Authority for approval in writing. Thereafter deliveries and servicing will be carried out in accordance with the approved Delivery and Servicing Plan.

Reason: In the interest of the safety and convenience of all highway users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

19. No building hereby permitted shall be occupied until the proposed footpaths and zebra crossings have been provided within the site in accordance with drawing 2009052-01 Rev A hereby approved. The footways and zebra crossings shall thereafter be retained at all times.

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

Reason: In the interests of road safety in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan 2019.

20. No building hereby permitted shall be occupied until the proposed height barrier at the proposed new site access has been provided in accordance with drawing RLRPRKL_PLN_103 Rev A hereby approved. The height barrier shall thereafter be retained in working order at all times.

Reason: In the interests of road safety in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan 2019.

21. No building hereby permitted shall be occupied until the physical dragon's teeth measure, restricting two-way movements through the site has been provided in accordance with drawing RLRPRKL_PLN_103 Rev A hereby approved. The dragon's teeth shall thereafter be retained in working order at all times.

Reason: In the interests of road safety in accordance with Policies TR1 and TR3 of the Reading Borough Local Plan 2019.

22. No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out in accordance with BS4142:2014 methodology. The predicted specific sound level (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 predicted 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 to the nearest noise-sensitive facade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard.

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.

23. 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), the site shall not be used except as a drive-thru coffee shop (Class E(a)) and for no other Use, including any use falling within 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: Another alternative use of the premises which may otherwise be permitted by virtue of the above Orders has not been assessed and could be harmful with respect to

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

residential amenity and transport in accordance with Policy CC8, TR3 and TR5 of the Reading Borough Local Plan 2019.

24. The proposed restaurant shall not be used by members of the public outside the hours of 06:00 to 23:00 on Mondays to Sundays and Bank Holidays.

Reason: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC8 and EN16 of the Reading Borough Local Plan 2019.

25. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory 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.

26. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

Reason: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

27. The total amount of built development floorspace hereby permitted by this planning permission and within the site shall not exceed 189sqm (Gross External Area) at any time.

Reason: (a) to ensure that the development is carried out in accordance with the approved details; and (b) to ensure that the amount of floorspace is consistent with the impacts assessed in respect of highway related matters, natural environment (trees and ecology) and neighbouring amenity in accordance with Policies CC7, CC8, EN16, EN17, TR1, TR3 and TR5 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) 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.

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

2. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.
3. 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.
4. Before any planning consent is implemented an agreement under Section 278 of the Highways Act, 1980, will be required with respect to works affecting the existing highway. The applicants should contact the Transport Development Control Section at transport.developmentcontrol@reading.gov.uk to discuss arrangements for this.
5. You are advised that no tree works are approved by virtue of this consent. Any works to trees subject to a Tree Preservation Order or to Conservation Area status will require submission of a tree works application or Section 211 Notice respectively.
6. The applicant is reminded that, as stated in the Tree protection plan, implications assessment and method statement from David Archer Associates dated November 2020, 'As trees are dynamic organisms and subject to continual change no dimensions expressed in this schedule may be relied upon for development purposes for more than 24 months from the date of survey'; this time period having expired in September 2020. As such it would be prudent to have trees re-inspected in case of any changes.
7. For the avoidance of doubt separate advertisement consent would also be required for the displaying of new advertisements. No signage is approved as part of this application.
8. 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 timescale for the decision to be issued.

Date: 22 July 2021



SDV

Head of Planning, Development
& Regulatory Services

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.