

TOWN AND COUNTRY PLANNING ACT 1990

**THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) (AMENDMENT)
ORDER 2016**

To: Rammurti Design Limited
268 Tilehurst Road
Reading
RG30 2NE

Application No: 201090
Application type: Shop, Financial, Betting,
Pay day, Casino to Restaurant/Cafe - Class C

**APPLICATION FOR PRIOR APPROVAL
UNDER CLASS C, PART 3 OF SCHEDULE 2 TO THE TOWN AND COUNTRY
PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AMENDMENT)
ORDER 2016**

Applicant: Mrs Rai

READING BOROUGH COUNCIL as Local Planning Authority give notice that the prior approval of the Local Planning Authority is **GIVEN** for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Notification of Prior Approval for a Change Of Use from Retail, betting office or pay day loan shop or casino (Class A1 (shops) or Class A2 (financial and professional services)) to restaurant or cafe (Class A3). Prior Notification under Class C, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

At: 172 Oxford Road Reading RG1 7PL

OTHER STATUTORY CONSENTS MAY BE REQUIRED

Date: 9 October 2020



SDV

Head of Planning, Development
& Regulatory Services

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The development shall be carried out in accordance with the details approved by the Local Planning Authority as follows, unless otherwise agreed in writing by the Local Planning Authority:

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 be carried out in accordance with the following approved plans:

OxR172:P10 Block Plan

OxR172:P12 Existing elevations

OxR172:P13 Existing & Proposed Ground Floor Plans

OxR172:P2 Site Location Plan

4533_ENA_1 Rev A Environmental Noise and mechanical plant assessment, Paragon Acoustic Consultants Ltd, 15/05/2020

9947.S Final Kitchen odour risk assessment, 172 Oxford Road, Phlorum, July 2020

Support Statement RevB (Noise, odour and waste sections updated 07/2020) Rammurti design Ltd

Received 31 July 2020.

Reason: because permission is granted in respect of the development as detailed in respect of the development as detailed in the approved plans only.

3. The premises shall not be used by members of the public and the kitchen extraction system shall not operate outside the hours of 10 am to 11 pm.

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.

4. The specific sound level of the plant/equipment 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 to the nearest noise-sensitive facade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all

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plant/equipment (or any part of it) is in operation. 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.

5. Prior to occupation, the ventilation and any other mitigation specified shall have a post installation inspection to confirm it has been installed in accordance with the specifications recommended within the Noise Assessment submitted with the application 4533_ENA_1 Rev A Environmental Noise and mechanical plant assessment, Paragon Acoustic Consultants Ltd, 15/05/2020 and this shall be confirmed in writing to the Local Authority.

REASON: In order to protect the amenity of future occupants of the proposed development in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

6. No occupation shall commence on site until a scheme for protecting the occupants of the flats above the proposed A3 use from noise from the proposed A3 use has been submitted to and been approved in writing by the Local Planning Authority.

All works which form part of the approved scheme shall be completed before any part of the A3 use is first used or occupied and the approved measures shall thereafter be retained in effective working order.

Reason: These details are required due to insufficient information being contained within this submission and in order to safeguard the amenity of occupants in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

7. No occupation or use shall be commenced until the extract/ventilation systems have been installed in accordance with the approved plans and specifications in the odour risk assessment (Phlorum July 2020, ref 9947.S) and thereafter the extract/ventilation systems shall be permanently retained and maintained in accordance with the approved specifications.

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.

8. Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended), the Class A3 occupier of the unit hereby approved shall retain an active building frontage with a display window or glazed frontage along the length of the frontage.

Reason: in the interests of retaining a vibrant and visually attractive streetscene and setting, in accordance with Policy CC7 of the Reading Borough Local Plan 2019

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INFORMATIVES

1. The proposal meets the relevant criteria set out in Class M and the proposal is not considered to have an adverse impact in relation to transport and highways matters, contamination risks on the site; or flooding risks on the site.
2. The granting of Prior Approval relates only to the change of use of existing floorspace and land. If external alterations or extensions to the building are intended, a separate planning application is required for these works.
3. The grant of prior approval does not certify that the proposed development would be lawful within the meaning of Section 191 of the Town and Country Planning Act 1990. If you wish to obtain confirmation that the proposed development would be lawful and that no enforcement action could be taken against it, you can apply for a Certificate of Lawfulness. A fee is payable for this. Further information can be found on the Planning Portal: https://www.planningportal.co.uk/info/200126/applications/60/consent_types/9
4. In order to comply with the provisions of paragraph M2.(3) (a) of Class M of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 development under Class M (a) and M(b) must be completed within a period of three years starting from the prior approval date.
5. A building which has changed use under Class M is to be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as such a dwellinghouse.
6. Any future occupier is strongly advised to give due consideration to minimising early morning or late night deliveries and refuse collections for the proposed restaurant which may cause noise disturbance to nearby residents. This is to safeguard the amenities of neighbouring premises and the area generally.
7. The local planning authority have worked positively and proactively to provide a recommendation for approval to be made within the statutory timescale.
8. You are advised that this application solely relates to the use and associated ventilation details to facilitate the use. Separate advertisement consent may be required for any fascia, projecting or other signs which may be proposed in the future for the approved Class A3 unit.
9. Your attention is drawn to the terms and conditions of this Prior approval. Any development which is carried out but does not comply with any conditions attached to the approval may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

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