

**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 Roger Nightingale
Little Acre
Spout Hill
Rotherfield
TN6 3QX

Application No: 200289
Application type: Variation of Condition

Applicant: ClipnClimb Tonbridge

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

Proposal: Application to the variation of Condition 5 (BREEAM) attached to Planning Permission 191557 namely to relax BREEAM measures and allow alternative energy efficiency measures to be introduced

At: 4 Acre Road 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: 18 May 2020



Head of Planning, Development & Regulatory Services *RE*

Application At: 4 Acre Road Reading

Application No: 200289

Application type: Variation of Condition

CONDITIONS & REASONS

1. The development hereby permitted shall begin no later than three years from the date of planning permission 191557 issued 6th December 2019.

REASON: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2.

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

Drawing No: Site Location Plan TEQ1927-100

Received 27th September 2019

Drawing No: Proposed Site Plan TEQ1927-102 Rev A

Drawing No: Proposed Floor Plans TEQ1927-103 Rev A

Drawing No: Cycle Shelter Specification Sheet

Received 4th November 2019

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. The development hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby approved. The space(s) shall be clearly marked for the approved use and kept available for parking for this use at all times thereafter.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policies TR3 and TR5 of the Reading Local Plan 2019.

4. The development hereby permitted shall not be occupied until the bicycle parking facility for that building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

Date: 18 May 2020



Head of Planning, Development & Regulatory Services *RE*

REASON: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policies TR1 and TR5 of the Reading Borough Local Plan 2019.

5. The proposed development shall be carried out in accordance with the sustainability measures detailed in the 'Supporting Statement' as received 27th February 2020 no later than first use and retained in accordance with such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development contributes adequately towards environmental sustainability, in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

6. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the approved premises shall be used for D2 climbing centre only and for no other purpose (including any other purpose in the same Use Class of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), 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 could be harmful to residential amenity defined within Policies CC8 and TR3 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The conditions above have been worded with reference to the original permission (Ref 191557/FUL).

2. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but 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. These works will require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.

4. The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.

Date: 18 May 2020



Head of Planning, Development & Regulatory Services *RE*

5. Any works affecting the highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should be made aware that compliance with this document is mandatory and licences to work on the highway will only be issued if the requirements contained within it are met. A copy can be obtained at <http://www.reading.gov.uk/ltp/General.asp?id=5X9452-A782F664> (within the Transport Strategy area of the Transport Section on the Reading Borough Web Site).
6. No external works are approved and no signage is approved as part of this application. For the avoidance of doubt, any future proposed signage may require separate advertisement consent.
7. For the avoidance of doubt, only the area illustrated in red on drawing TEQ1927 102 A - Proposed Site Plan is permitted as D2. The remainder of the building is to be retained as B8 at all times unless a separate planning application from the Local Planning Authority is approved stating otherwise.
8. Any restrictive covenants are not a material planning consideration and would be a separate civil matter between the parties concerned.
9. 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 extended timescale for the decision to be issued.

Date: 18 May 2020



Head of Planning, Development & Regulatory Services *RE*

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.