

**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: All Environmental Health Services Ltd Application No: 191159
1 Keephatch Cottages Application type: Variation of Condition
Keephatch Road
Wokingham
RG40 5PX

Applicant: San Int Trading 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: Continued use of the ground floor premises as an A5 Take-Away use, as granted by application reference 03/00299/FUL, but with a variation to condition 4 (opening times).

At: 435 Oxford Road Reading RG30 1HD

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: 19 December 2019



Head of Planning, Development
& Regulatory Services

Application At: 435 Oxford Road Reading RG30 1HD

Application No: 191159

Application type: Variation of Condition

CONDITIONS & REASONS

1. Ventilation

Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from the cooking operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues. Details of any new equipment shall be submitted to the local planning authority for approval in writing prior to the equipment being installed. Details to include outlet height.

REASON: to ensure that the use has adequate ventilation equipment to ensure that neighbouring properties are not unreasonably polluted by odours from the use and to protect the general environment in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

2. Litter/Waste Management

Within one month of this decision being issued details of a waste and litter control strategy including staff training and customer awareness measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures within the strategy shall be implemented within one month of that approval and be permanently retained and maintained thereafter.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC7 and EN16 of the Reading Borough Local Plan 2019.

3. Odour/Noise Management

Within 1 month of this decision being issued a detailed noise and odour management and maintenance plan to include scaled plans, odour and noise control specifications shall be submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the DEFRA guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Jan 2005) when assessing potential sources of nuisance and selecting appropriate control methods. Thereafter, the approved noise and odour management and maintenance plan shall be adhered to 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 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.

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4. Opening hours

The premises shall not be used for the preparation or sale of food or by members of the public outside the hours of 0800 am to 0100 am on any day of the week including Bank Holidays.

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.

Conditions no longer applicable

Condition 5 - Restriction of use to take-away only deleted

Reason: With A5 use being introduced in Use Classes Order and PD rights given to change from A5 to other A retail uses this condition is not justified.

Condition 6 - Noise attenuation measures deleted

Reason - addressed by redrafted condition 3 above.

Condition 7 - level access deleted

Reason - access covered by building regulations.

INFORMATIVES

1. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed 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. Premises Licence

The applicant is reminded that the Licensing Sub-Committee on 6 June 2019 stipulated that the basis for being granted a Premises Licence relied on Planning Consent being granted. This planning decision notice sets out a number of conditions which require the submission of details to be approved and thereafter compliance with the approved details.

Failure to meet these conditions or not complying with their on-going requirements could put you in breach of this Planning Consent and thereby the terms of your Premises Licence.

Date: 19 December 2019



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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.