

**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: DP9 Limited
100 Pall Mall
London
SW1Y 5NQ

Application No: 190099
Application type: Full Planning Approval

Applicant: Inception (Reading Sarl)

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: Amalgamation of Units 36 and 37 (Class A1) and change of use to form a flexible retail/restaurant/bar unit (Class A1/A3/A4), associated replacement shopfront works and associated external alterations on Dusseldorf Way and South Court frontages.

At: Unit 36 & 37 Broad Street Mall Broad Street Reading RG1 7QE

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: 31 July 2019



Head of Planning, Development
& Regulatory Services

Application At: Unit 36 & 37 Broad Street Mall Broad Street Reading RG1 7QE

Application No: 190099

Application type: Full Planning Approval

CONDITIONS & REASONS

1. The development hereby permitted shall begin within three years from the date of this planning permission.

Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

151116 0400 P-03 Existing South Court Corner Location Plan dated 6.2.2019

151116 0401 P-03 Existing South Court Corner Site plan dated 6.02.2019

151116 0403 P-11 Proposed south court corner basement and ground floor plan (shows service lift to basement and 20% floor area) dated 8.04.2019

151116 0404 P-06 Existing and Proposed South Court Corner elevation 01 dated 21.3.2019

151116 0405 P-09 Existing and Proposed South Court Corner elevation 02 - to show details of the external seating dated 16.5.19

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

3. The A1/A3/A4 uses hereby permitted shall not be implemented other than in accordance with ground floor layout shown on approved plan 'Proposed South Court Corner Basement and ground floor plan' ref 151116 0403 P-11 dated 8.04.2019. The proportions of floor area allocated to A4 bar servery area should not exceed 20% (232 sq.m) as shown on approved drawing 151116 0403 P-11 dated 8.04.2019.

Reason: In order for the Local Planning Authority to control the extent of any bar function and any potential noise/disturbance, in the interests of the amenities of the area. In accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015 and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015)).

Date: 31 July 2019



Head of Planning, Development
& Regulatory Services

4. The premises shall not be used by members of the public outside the hours of 9:00-23:00, with the last food order taken at 21:30, on Sunday- Thursday; and 9:00-23:30, with the last food order taken at 23:00, on Friday and Saturday.

Reason: in order to protect existing local residents and users from unreasonable disturbance arising from the uses, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

5. Prior to first occupation of the hereby permitted development the measures within the Operational Management Plan produced by Moorgarth dated June 2019 received by the Local Planning Authority on 10.6.2019, including CCTV provision, shall be implemented. The development shall thereafter only be operated in accordance with this approved management plan for the duration of the development.

Reason: in the interests of ensuring the proper and safe operation of the use hereby permitted. In accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC14 of the Reading Central Area Action Plan (2009).

6. Prior to first occupation of the hereby permitted development a security strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include arrangements to secure internal A1 units when not in operation and to secure related street furniture (bins, planters, etc.) at night, with non secure furniture to be brought into the building. The approved strategy shall be implemented prior to first operation and all tenants shall be made aware of the strategy. The development and uses hereby permitted shall only be undertaken in accordance with the approved strategy and the strategy shall be reviewed and retained for the duration of the development.

Reason: to ensure that the development is suitable in terms of on-site security and creates a safe and accessible environment. In accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC14 of the Reading Central Area Action Plan (2009).

7. Prior to first occupation of the hereby permitted development details of an external lighting strategy and scheme (covering all external lighting proposed, including a plan indicating the locations of the lights, specifications, height, luminance; where applicable lens shape/beam pattern and any hoods/shades) shall be submitted to and be approved in writing by the Local Planning Authority. No use within the building hereby permitted shall commence until the approved lighting scheme has been completed. The lighting scheme shall be maintained as approved thereafter.

Date: 31 July 2019



Head of Planning, Development
& Regulatory Services

Reason: In order to protect the amenity of future guests/occupiers and nearby occupiers, and enhance the appearance of the building. In accordance with Policies CS7 and CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC5 of the Reading Central Area Action Plan (2009) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

8. No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted to and approved by this Council. The assessment shall be carried out for in accordance with BS4142:2014 methodology. The predicted specific sound level (LAeq,TR) as measured at a point 1 metre external to sensitive facades shall be at least 10dB below the 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 sensitive facades shall not exceed the 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.

Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

9. Prior to first operation of the hereby permitted development an odour assessment shall be carried out and a detailed Odour Management Plan to include scale plans, odour control specifications and a maintenance plan shall be submitted and approved 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 (January 2005) when assessing potential odours and selecting appropriate odour control methods. The agreed Odour Management Plan shall be implemented prior to first operation of the hereby permitted development, and thereafter the approved use shall not be carried out other than in accordance with the approved Odour Management Plan.

Reason: in order to protect the amenities of occupiers of nearby premises from odour disturbance. In accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

10. Prior to first occupation of the hereby permitted development details of the appearance, location and management of external street furniture shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
(a) bins

Date: 31 July 2019



Head of Planning, Development
& Regulatory Services

- (b) planters for vegetation
- (c) barriers
- (d) tables / chairs / other seating

Thereafter only street furniture as approved shall be installed and it shall be located and managed as approved.

Reason: in the interest of ensuring that the development enhances the visual local environment and to avoid clutter around the site. In accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015)

11. Prior to first occupation of the hereby permitted development the internal stair core and service lift between basement and ground floor level as shown on approved plan 'Proposed South Court Corner Basement and ground floor plan' ref 15116 0403 P-11 dated 8.04.2019 shall be completed and fully functional; and thereafter retained.

Reason: In the interest of the safety and convenience of all highway users. In accordance with Policy CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Reading Central Area Action Plan 2009.

12. Prior to first occupation of the development details on the management of delivery and servicing vehicles accessing the development site and 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 details.

Reason: In the interest of the safety and convenience of all highway users. In accordance with Policy CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Reading Central Area Action Plan 2009.

13. For the avoidance of doubt, this planning permission allows no breaking of concrete slab or works within unmade ground within the application site.

Reason: As such may have impacts on below-ground considerations which have not been assessed in the planning application. In accordance with Policies CS33 and CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015)

14. The materials to be used in the refurbishment of the external surfaces of this development shall be as shown on the approved plans or documents.

Reason: In the interests of ensuring that the new development appears in keeping with the existing building or surrounding area. In accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC5 of the Reading Central Area Action Plan 2009.

Date: 31 July 2019



Head of Planning, Development
& Regulatory Services

INFORMATIVES

1. 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.
2. 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.
3. i) 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.
ii) 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 note 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 from the Council's website.
4. 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.
5. Separate Local Authority Licensing approval is likely to be required.
6. The applicant is advised of the need to obtain the required Advertisement Consents prior to any signage being erected on site.
7. 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.
8. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of

Date: 31 July 2019



Head of Planning, Development
& Regulatory Services

new floorspace. For this approved development the CIL status is NIL CHARGE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

Date: 31 July 2019



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.