



Reading
Borough Council
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**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: Esi Licensing and Legal Consultancy
84 Hayes Lane
Bromley
BR2 9EE

Application No: 191026
Application type: Full Planning Approval

Applicant: Mr Muhammet Alpar

READING BOROUGH COUNCIL as Local Planning Authority **REFUSE** planning permission for the following development.

Proposal: Change of use from Class Use A1 to Mix Use Comprising of Class Use A3 (Cafes & Restaurants) and Class Use A5 (Hot Food Takeaway) and Installation of range and ducting. Resubmission of 181896

At: 232 Northumberland Avenue Reading RG2 7QA

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 10 September 2019

Head of Planning, Development
& Regulatory Services

AA

Application At: 232 Northumberland Avenue Reading RG2 7QA

Application No: 191026

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposed change of use to A3/A5 would result in a proliferation of non- A1 units within the Northumberland Avenue Local Centre. As a result the proposal would be contrary to Policy DM13 of the Sites and Detailed Policies Document 2012 (Altered 2015) and Policies CS26 and CS27 of the Core Strategy 2008 (Altered 2015).
2. The applicant has failed to suitably demonstrate that the proposed A3/ A5 unit, owing to its proximity to residential dwellings, would not cause a significant detrimental impact to the living environment of neighbouring properties in terms of noise disturbance and smells contrary to Policy CS34 of the Reading Borough Local Development Framework Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough Local Development Framework Sites and Detailed Policies Document 2012 (Altered 2015).

INFORMATIVES

1. The Council, in making its decision, has taken in to account the following plans and documents:

Location Plan

F6 V.2 - Proposed Back View Plan

F2 V.2 - Proposed Layout Plan

F3 V.2 - Current Side View Plan

F5 V.2 - Current Back View Plan

F1 V.2 - Current Layout Plan

F4 V.2 - Proposed Side View Plan

Noise Assessment Report - Centrifugal Fan by GDS Group

Received 26th June 2019

F8 V.2 - Proposed Front View Plan

F7 V.2 - Current Front View Plan

Design and Access Statement

Received 16th July 2019

2. The local planning authority has worked positively and proactively with the applicant within the prescribed target timescale and therefore the decision to refuse planning permission has been taken. The agent was advised via email on 06/09/19 that

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if not withdrawn, the application would be refused. The case officer then contacted the applicant's agent and left a voice mail message on 09/09/19. A further email was sent on the same day requesting the agent inform the case officer how they wish for the application to proceed by the stated time. The agent confirmed via email on 09/09/19 that they wished to proceed with a refusal, hence the issuing of this decision.

3. This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission. Please see the following link to the Council's pre- application service here:

http://www.reading.gov.uk/media/1190/Pre-Application-Enquiry-Form/pdf/Pre-app_Nov_2016.pdf

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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.