

**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: Turley
The Pinnacle
20 Tudor Road
Reading
RG1 1NH

Application No: 190576
Application type: Full Planning Approval

Applicant: Hermes Plc

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: Change of use at ground floor to flexible use (A1, A2, A3, A4, A5, D2(Gymnasium))

At: 41a Church Street Caversham Reading RG4 8BA

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: 26 July 2019



BCN

Head of Planning, Development
& Regulatory Services

Application At: 41a Church Street Caversham Reading RG4 8BA
Application No: 190576
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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:

Unit 41a St Martins Precinct - Site location plan, received 8 April 2019
Drawing No: S180089-A09-04 - Lease (floor plan), received 15 April 2019
Drawing No: Additional bicycle store provision for 2 x cycle spaces, received 20 June 2019

REASON: As permission is granted in respect of the development as detailed in the approved plans only.

3. No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by this Council. The assessment shall be carried out for in accordance with BS4141:2014 methodology. The predicted specific sound level ($L_{Aeq,TR}$) as measured at a point 1 metre external to sensitive facades shall be at least 10dB below the existing background sound level, $L_{A90,T}$ when all plant/equipment (or any part of it) is in operation. The predicted rating level, $L_{Ar,Tr}$ (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, $L_{A90,T}$ 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).

4. No use hereby permitted shall be occupied until the bicycle parking facility for that use has been provided in accordance Drawing No: Additional bicycle store provision for

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2 x cycle spaces, received 20 June 2019. The facility shall be kept available for bicycle parking at all times thereafter.

REASON: To encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies CS23 and CS24.

5. Kitchen extraction shall not be installed until plans have been approved. The kitchen extraction shall be designed following an odour risk assessment to determine the measures required to effectively control odour emissions. The odour risk assessment, design justification and plans shall be submitted for approval. Thereafter, the development shall not be carried out other than in accordance with the approved scheme unless the Local Planning Authority agrees in writing

REASON: To safeguard the amenities of neighbouring premises and the area generally.

6. Any external furniture shall be stored within the premises between the hours of 2300hrs and 0800hrs.

REASON: To safeguard the amenities of neighbouring premises and the area generally.

7. No outdoor seating area associated with the development shall be used by members of the public outside the hours of 0800 to 2300 any day.

REASON: in order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy DM4 and Policy CS34.

8. The A4/A5 use hereby approved shall not be used by members of the public outside the hours of 0800 to 2300 any day.

REASON: in order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy DM4 and Policy CS34.

9. The flexible A1, A2, A3, A4, A5, D2 (Gymnasium) use hereby permitted shall be limited to 10 years from the date of this permission. Upon the expiry of this 10 year period, the prevailing use of the premise, as either A1, A2, A3, A4, A5, D2 (Gymnasium) shall become the permitted lawful use.

REASON: To clarify the lawful use hereby permitted and to prevent flexibility in perpetuity which may be detrimental to the comprehensive planning of the area contrary to Policy CS24, CS32 and CS34.

10. No amplified sound or music shall be played at the premises outside the following times: 0800 until 2200 any day.

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REASON: To safeguard the amenity of nearby premises and the area generally in accordance with Policy DM4

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. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted to make clear that they require approval from the local planning authority before any development begins. This is because the details need to be designed or works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.
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. 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.
5. 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.
6. 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.

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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.

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.