

PLANNING AND HERITAGE STATEMENT

6 BROAD STREET, READING RG1 2BH

PREPARED ON BEHALF OF MEXICAN GRILL LTD

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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1. INTRODUCTION

- 1.1 This Planning and Heritage Statement has been prepared by Pegasus Group on behalf of Mexican Grill Ltd ('the Applicant') in support of a planning application for the following proposed development at 6 Broad Street, Reading, RG1 2BH ('the site'):

"Change of use of the ground and basement floor from a shop (Class A1) to a restaurant (Class A3)"

- 1.2 This Statement sets out the planning rationale that underpins the proposed development, to demonstrate its acceptability in planning terms.
- 1.3 The proposal will provide a complementary and supporting use to the surrounding retail area, in turn conserving the vitality of the wider City Centre. The proposal has been carefully considered to ensure that there will be no adverse impact on surrounding amenity, notwithstanding the established commercial area within which the site is located.
- 1.4 There are no external alterations proposed as part of this application.
- 1.5 The Statement is structured as follows:
- **Section 2** provides a description of the site and the surrounding area;
 - **Section 3** gives an overview of the relevant planning history;
 - **Section 4** provides a description of the development proposals;
 - **Section 5** sets out the planning policy context;
 - **Section 6** assesses the proposals against relevant planning considerations; and
 - **Section 7** summarises and concludes the report.

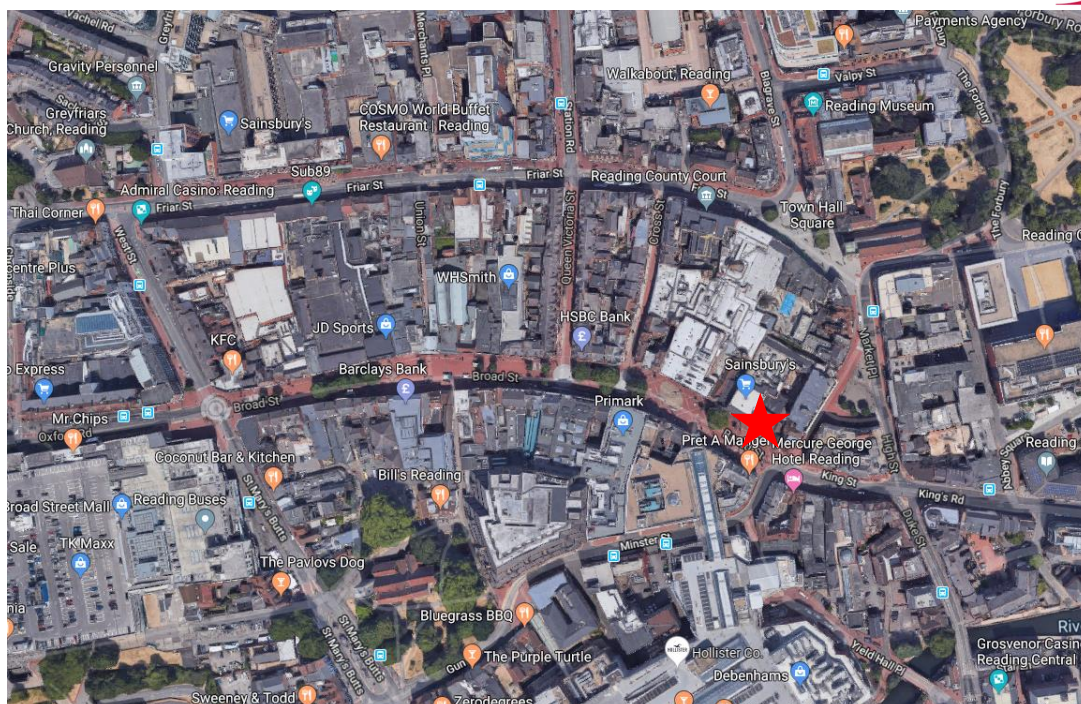
2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a Class A1 retail unit, set across the ground and basement floors of 6 Broad Street, Reading.
- 2.2 The unit is vacant, as shown in Figure 1 below, having most recently been occupied by Virgin Media. The wider application site building extends to four storeys in height plus basement.



Figure 1: Application Site at No. 6 Broad Street

- 2.3 The site is located on the northern side of the pedestrianised street, as shown in Figure 2 below. The site is located approximately 300m to the south of Reading Railway Station.



Application Site: ★

Figure 2: Site Location

- 2.4 The site lies within the defined Settlement of Reading, specifically within an Existing Active Frontage, the Primary Shopping Area, Reading Central Area, Reading Central Core and Office Core. The site also lies within an Area of Archaeological Potential and Air Quality Management Area (AQMA).
- 2.5 The site also falls within Market Place/London Street Conservation Area. The site is not statutory or locally listed, however it is adjacent to a Grade II listed building at nos. 2, 3 and 3A Broad Street.
- 2.6 According to the Environment Agency's website, the site lies within Flood Zone 1, which indicates a 'low' probability of flooding.
- 2.7 The surrounding area is predominantly commercial in character, with retail including food and drink uses at ground floor level, with ancillary spaces, offices and residential uses above. The nearest residential use appears to be a flat above The Alehouse at no.2 Broad Street.

3. PLANNING HISTORY

3.1 The relevant planning application records held by Reading Borough Council which relate to the Application Site include the following:

- **161787** - *1 no. internally illuminated fascia and 1 no. internally illuminated projecting sign* – Granted 01/12/2016
- **150199** - *Change of use of first floor to a dental practice* – Granted 7 April 2015

3.2 There is no planning history available on the Council's online records relating to the use of the unit set across ground and basement floors, however it appears to be in established Class A1 use.

Other Surrounding Examples

3.3 Along Broad Street, Reading, there have been a number of applications in recent years for the Change of Use from Class A1 to A3 that have been approved. The most recent applications within close proximity to the site are as follows:

- 80 Broad Street, Reading, RG1 2AP (Ref. 171927) granted on 22nd January 2018 for "*Change of use from use class A1 (shops) to class A3 (restaurants), installation of extraction and ventilation system and replacement shopfront.*"
- 81 Broad Street, Reading, RG1 2AP (Ref. 141887) granted on 21st January 2015 for "*Change of use from A1 to A3 (retrospective).*"

4. PROPOSED DEVELOPMENT

- 4.1 This application seeks planning permission for the following proposed development at 6 Broad Street, Reading, RG1 2DP ('the site'):

"Change of use of the ground and basement floor from a shop (Class A1) to a restaurant (Class A3)"

- 4.2 Established since 2007, Tortilla is a high quality restaurant operator with the focus of their food offer on Californian style Mexican food, namely burritos and tacos. The proposal will allow the expansion of the brand into Reading.
- 4.3 The development will not necessitate the use of kitchen extraction equipment as primary cooking is undertaken off site. The only food preparation/cooking on site would be reheating using a convection system. The existing air handling equipment will be utilised, which will provide general air intake and extract. This is considered sufficient and appropriate for the Applicant's operation.
- 4.4 Refuse and recycling arising from the operation of the proposed Class A3 use will be stored within the premises at basement level as indicated on the Proposed Layout Plan and will be collected as per existing arrangements. Deliveries will also be undertaken as per existing arrangements.
- 4.5 The Tortilla restaurant will require approximately 20-25 employees, both full time and part time.
- 4.6 The proposed opening hours are as follows:
- 08:00 – 23:00, Monday - Sunday
- 4.7 There are no external alterations proposed as part of this application. The proposed layout is indicative and for reference only, and planning permission will be sought for external alterations and signage in due course.

5. PLANNING POLICY AND LEGISLATION

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the Development Plan for the proposal comprises the Core Strategy (2008), Reading Central Area Action Plan (2009), and Site and Detailed Policies DPD (2012).

5.2 The National Planning Policy Framework (NPPF) (2019); National Planning Practice Guidance (NPPG); and emerging policy including the Reading Borough Local Plan (March 2018), include material considerations in the determination of the planning applications.

5.3 The following designations apply to the Application Site as identified on the adopted Proposals Map (2012):

- Settlement of Reading;
- Existing Active Frontage;
- Primary Shopping Area;
- Reading Central Area;
- Reading Central Core and Office Core;
- Market Place/London Street Conservation Area;
- Area of Archaeological Potential; and
- Air Quality Management Area (AQMA).

5.4 Planning policies of relevance to the proposed development are set out below.

Core Strategy (2008)

5.5 **Policy CS25 (Scale and Location of Retail, Leisure and Culture Development)** states that major retail and main town centre leisure and culture development will take place in, or as an extension to, the centre of Reading.

5.6 **Policy CS26 (Network and Hierarchy of Centres)** sets out that Reading Centre is the regional centre within the Borough, and the vitality and viability of the designated centres should be maintained and enhanced. This will include widening

the range of uses, and development for main town centre uses should be of an appropriate scale for the centre.

- 5.7 **Policy CS27 (Maintaining the Retail Character of Centres)** states that a strong retail character will be maintained in the designated centres, including Reading Centre. Significant groups of non-retail uses in one part of a centre will not be allowed.
- 5.8 **Policy CS33 (Protection and Enhancement of the Historic Environment)** states that permission will only be granted where development has no adverse impact on historic assets. All proposals will be expected to protect the character and appearance of the area in which they are located.

Reading Central Area Action Plan (2009)

- 5.9 **Policy RC6 (Definition of the Centre)** sets out that retail development will take place in the Primary Shopping Area. Other main town centre uses will take place in the Central Core.
- 5.10 **Policy RC7 (Leisure, Culture and Tourism in the Centre)** states that the Reading Central Area will be the prime focus for major leisure development (including restaurant uses). These uses should be concentrated within the Central Core. Leisure, cultural and tourism uses that would attract a wide range of people into the centre will be encouraged.
- 5.11 **Policy RC10 (Active Frontages)** states that uses on the ground floor along the designated active frontages will be within one of the following use classes: A1, A2, A3, A4, A5, C1, D1, D2 or related sui generis uses, unless it would be an entrance to upper floors.
- 5.12 New developments (or alterations to existing uses) that front onto any of the designated active frontages will provide an active building frontage with a display window or glazed frontage at ground floor level, in order to contribute to the vibrancy of the Town Centre, and provide visual interest. Frontages should be of a high visual quality. Any frontages that have the potential to hinder movement or cause unnecessary safety risk will not be permitted.

Site and Detailed Policies DPD (2012)

- 5.13 **Policy DM4 (Amenity)** seeks to safeguard amenity, including in respect of noise and disturbance and odour.

- 5.14 **Policy DM12 (Access, Traffic and Highway Related Matters)** sets out that the proposals would not be detrimental to the safety of users of the transport network, including pedestrians and cyclists.

Emerging Policy

- 5.15 The Council are progressing with their emerging draft Reading Borough Local Plan 2036 and submitted this to the Secretary of State on 29th March 2018 for Examination in Public. The Council are currently undertaking consultation on the main modifications to this Plan. The following draft policies are relevant to this application.
- 5.16 **Draft Policy CC8 (Safeguarding Amenity)** states that development will not cause significant detrimental impact to the living environment of existing or new residential properties. As well as the immediate impacts, the policy relates also to matters of servicing and HGV movements.
- 5.17 **Draft Policy EN1 (Protection and Enhancement of the Historic Environment)** protects historic features and environments, requiring development to make a positive contribution to local character and distinctiveness that has no adverse impact on heritage assets and their setting.
- 5.18 **Draft Policy EN3 (Enhancement of Conservation Area)** conserves the special interest and characters of Conservation Areas.
- 5.19 **Draft Policy TR5 (Car and Cycle Parking)** states that development should provide car parking and cycle parking that is appropriate to the accessibility of locations within the Borough to sustainable transport facilities, particularly public transport.
- 5.20 **Draft Policy CR7 (Primary Frontages in Central Reading)** states:

"Uses on the ground floor along the designated primary frontages as shown on the Proposals Map will be within one of the following use classes: A1, A2, A3, A4, A5, C1, D1, D2 or related sui generis uses, unless it would be an entrance to upper floors.

New developments (or alterations to existing uses) that front onto any of the designated primary frontages will provide an active building frontage with a display window or glazed frontage at ground floor level, in order to contribute to the vibrancy of the town centre, and provide visual interest. Frontages should be of a

high visual quality. Any frontages that have the potential to hinder movement or cause unnecessary safety risk will not be permitted.

Proposals that would result in the loss of A1 or A2 use such that the proportion of the length of frontage within the street in A1 or A2 use falls below 50% will not be permitted, unless the proposal introduces a use that makes a positive contribution to the overall diversity of the centre. 50% of new primary frontages as shown on the Proposals Map should be in A1/A2 use."

6. PLANNING AND HERITAGE ASSESSMENT

- 6.1 This application seeks planning permission for the following proposed development at 6 Broad Street, Reading, RG1 2DP ('the site'):

"Change of use of the ground and basement floor from a shop (Class A1) to a restaurant (Class A3)"

Restaurant Operator

- 6.2 The proposal will facilitate the occupation of the unit by Tortilla.
- 6.3 Established since 2007, Tortilla is a high-quality restaurant operator with the focus of their food offer on Californian style Mexican food, namely light and authentic burritos and tacos. The food offer incorporates typical Mexican toppings including pollo asado, carnitas and salsa roja, mixed with Californian inspired food such as black beans, lime-cilantro rice and freshly chopped jalapeños.
- 6.4 The brand currently features 36 restaurants nationwide across the UK, with international presence from the 4 established restaurants in the Middle East. The brand is not part of a multi-franchise or larger restaurant group. Instead it was set up by a couple hailing from California, and with the help of a few friends, has since expanded to employ over 500 staff across the UK.
- 6.5 Predominantly based in London, the brand has also established itself in a small number of key destination cities within the UK. The proposal will facilitate the expansion of the brand into Reading as part of its increasing portfolio.
- 6.6 Having reviewed the planning position at both national and local level and applied these policies to the application proposal, the key issues in the determination of this application are:
- Principle of Development;
 - Impact on Amenity; and
 - Servicing and Deliveries and Impact on Highways.
- 6.7 These are each considered in turn below. The impact on designated heritage assets is considered in the Heritage Assessment section.

Principle of Development

i. Loss of Class A1 use

6.8 There are no adopted planning policies which specifically seek to restrict the loss of Class A1 use from this location within an Existing Active Frontage.

6.9 Notwithstanding this, **draft Policy CR7 (Primary Frontages in Central Reading)** of the emerging draft Reading Borough Local Plan is of relevance, and states:

"Proposals that would result in the loss of A1 or A2 use such that the proportion of the length of frontage within the street in A1 or A2 use falls below 50% will not be permitted, unless the proposal introduces a use that makes a positive contribution to the overall diversity of the centre. 50% of new primary frontages as shown on the Proposals Map should be in A1/A2 use."

6.10 The draft Policies Map accompanying the emerging Reading Borough Local Plan (March 2018) identifies the site as falling within a designated Primary Frontage in Central Reading (proposed). The justification indicates that for the purposes of applying this policy, existing frontages will be grouped together, including Broad Street (North and South).

6.11 A land use survey of Broad Street was undertaken on 25th June 2019. This survey identified that 85.7% of the length of the Primary Frontage along Broad Street (North and South) was in either Class A1 or A2 use. The proposal would result in the loss of 6.6m of A1 use from the Primary Frontage, reducing the proportion of the length within Class A1 or A2 uses by a marginal amount, to 84.8%.

6.12 On this basis, the resultant proportion of A1 or A2 uses would comfortably meet the requirements of draft Policy CR7 which aims to maintain at least 50% of the Primary Frontage within Class A1 or A2 use. The proposal should therefore be considered acceptable on this basis.

iii. Proposed Class A3 (Restaurant) Use

6.13 The proposed Class A3 use will be wholly in accordance with **Policy CS25** and **Policy RC6** which respectively seek to direct retail and leisure uses to the centre of Reading, and to direct main town centre uses to the Reading Central Core, where the site is located.

- 6.14 The proposed development is also in accordance with **Policy RC7** which seeks to focus leisure development (including restaurant uses) within Reading Central Area, and concentrate these uses within the Central Core, where the site is located.
- 6.15 The policy justification specifies a number of uses which it seeks and which would be of particular benefit in widening the offer of the centre, including *"additional restaurants and a broader range of evening uses generally"*. The proposal would provide such a complementary use to the existing retail offer, and operate into the evening, enhancing the Borough's night time economy in accordance with the overarching aim of the policy.
- 6.16 The site is also located within an Existing Active Frontage on the Council's adopted Proposals Map (2012). **Policy RC10 (Active Frontages)** states that uses on the ground floor along the designated active frontages will be within one of the following use classes: A1, A2, A3, A4, A5, C1, D1, D2 or related sui generis uses. The policy requirements of RC10 are reiterated in draft Policy CR7 (Primary Frontages in Central Reading) of the emerging draft Reading Borough Local Plan. As such the principle of the proposed Class A3 restaurant use is considered acceptable in this location, in accordance with both Policy RC10 and draft Policy CR7.
- 6.17 Policy RC10 and draft Policy CR7 also require developments that front onto any of the designated active frontages to provide an active building frontage with a display window or glazed frontage at ground floor level, in order to contribute to the vibrancy of the Centre, and provide visual interest. The proposal will retain an active glazed frontage at ground floor level in accordance with these policies. There are no external alterations proposed as part of this application. Any shopfront alterations will be minor in nature, retaining an active frontage, and will be subject to a separate planning application in due course.
- 6.18 The proposed restaurant (Class A3) will benefit from linked trips to Reading Centre and provide local residents and visitors with a place to dine whilst shopping in the City Centre. As such, the proposed use will serve to provide a complementary facility which will support the character and function of the wider Primary Shopping Area, and reinstate an active use to this vacant unit. In turn will conserve, and indeed enhance, the vitality and viability of Reading City Centre in accordance with **Policy CS26**. Policies CS26 and RC7 encourage a mix of uses in Reading Central Area though and the proposed change of use will contribute to this variety and provide a complementary service to the predominant retail character of the Primary

Shopping Area in accordance with this policy. As such, the overarching retail character of the centre will be maintained and supported through the proposal, in accordance with **Policy CS27**.

- 6.19 It should also be noted that the proposal will not result in a significant group of non-retail uses within the Centre, in accordance with Policy CS27. Whilst there are other complementary and supporting uses evident in the wider surrounding area, the findings of the survey indicate that the predominant character of this part of the Centre retains a strong retail character, with 70.9% proportion of the units along Broad Street in Class A1 use. Furthermore there is no notable accumulation of A3 uses in the immediate vicinity of the site, which is situated opposite The Oracle Shopping Centre and given both the ground floor units immediately adjacent to the site are also in Class A1 use. In respect of cumulative impact of food and drink uses, the proposal is therefore not considered to result in any adverse impact, particularly given the proposed opening hours and nature of the proposed A3 use, which does not involve primary cooking as detailed further below.
- 6.20 The proposal will contribute towards the local economy, including the evening economy, and will also create approximately 20-25 new jobs.
- 6.21 On the basis of the above, the principle of the proposed Class A3 restaurant use in this location is considered entirely acceptable in accordance with Policies CS25, CS26, CS27, RC6, RC7, RC10 and emerging draft Policy CR7.

Impact on Amenity

- 6.22 Policy DM4 states that permission will generally be granted where the proposal has no adverse effect on residential amenity as a result of privacy, overlooking, daylight/sunlight, noise, light, vibration, dust, fumes, or smell. As well as these immediate impacts, this policy also applies to matters such as hours of operation and the effects of traffic movement.
- 6.23 The nearest residential use appears to be a flat above The Alehouse at no.2 Broad Street. There will be no adverse noise impact arising from the proposal, as the site is located on a busy street within a City Centre location where such A3 and other commercial uses are prevalent and well established, and where ambient noise levels are already relatively high. Indeed, the surrounding area along Broad Street, King Street and Butter Market is characterised by a variety of existing retail premises, cafes, restaurants and licensed establishments, therefore the proposed use will be in keeping with the character of these commercial uses and is not

considered to result in a materially different level of noise than these surrounding uses.

- 6.24 Furthermore, the relatively modest size of the unit is not considered to give rise to an unreasonable level of activity or increased footfall. To the contrary, the proposed restaurant is expected to benefit from the existing footfall and passing trade along Broad Street. As such there is not considered to be any adverse cumulative impact in this respect, when taken into account with other similar nearby uses.
- 6.25 The proposed opening hours of the Class A3 restaurant are as follows:
- 08:00 – 23:00, Monday - Sunday
- 6.26 The proposed opening hours will not extend beyond 23:00 and as such is not considered to have an adverse impact on surrounding residential amenity. Indeed, these hours are considered reasonable given the site's location within the Central Core of Reading, and are similar to other neighbouring cafes, licensed restaurants and commercial uses such as The Alehouse No. 2 Broad Street; Royal Tandoori Nos. 4-8 Duke Street; and The Botanist Nos. 1-5 King Street.
- 6.27 Given the proximity of the site to other cafes, licensed restaurants and commercial uses with similar opening times, it is not envisaged that the proposed hours of opening will have a detrimental impact upon the surrounding residential amenity.
- 6.28 There is no new kitchen extract or other plant equipment proposed as part of the proposal. As such there will be no adverse impact on amenity arising from noise, vibration or odour arising from mechanical plant equipment.
- 6.29 The Applicant's operation will not involve any primary cooking on site. Instead, primary cooking is undertaken off site and food delivered to the site, then simply reheated as required using a convection system. As such the proposal will not necessitate the requirement for a kitchen extract. As such the 'intensity' of the nature of the use compared to other Class A3 operators will be relatively minimal and there will also be no adverse impact on surrounding residential amenity in this regard.
- 6.30 The existing air handling equipment will be utilised, which will provide general air intake and extract. This is considered sufficient and appropriate for our client's operation, and is exercised as such at numerous sites around the country.

- 6.31 On the basis of the above, there will be no adverse effect on the amenity of the surrounding area arising from the proposed use, in accordance with Policy DM4 and draft Policy CC8.

Servicing and Deliveries and Impact on Highways

- 6.32 The proposed use will utilise the existing servicing and delivery arrangements of the previous operator, which is not considered to result in an adverse impact on highways.
- 6.33 The site is located on Broad Street, a busy thoroughfare within Reading. There is no dedicated parking for the site, however the site is located in a highly sustainable location, approximately 300metres to the south of Reading Railway Station and with bus stops at King Street, Market Place and Friar Street within 3 minute walking distance from the site, providing bus services to and from the wider surrounding area. Notwithstanding this, the restaurant will primarily serve customers on foot who live, work or visit the area, with the majority of customers expected to be making linked trips to the City Centre. It should also be noted that the restaurant will be open throughout the day and evening and as such will serve a steady flow of customers, rather than focusing on custom only during peak times.
- 6.34 The proposed change of use will therefore not have a detrimental impact on transport or highways arising from increase in traffic or parking demand, and as such complies with Policy DM12.

Heritage Assessment

- 6.35 The application site is located within the Market Place/London Street Conservation Area. The site is not statutory or locally listed, however it is adjacent to a Grade II listed building at nos. 2, 3 and 3A Broad Street.
- 6.36 The proposed development relates solely to the change of use of 6 Broad Street. There are no external alterations proposed as part of this application and as such there will be no adverse impact on the significance or setting of any nearby Listed Buildings, or the character and appearance. To the contrary, the proposed use will contribute towards conserving the vitality of the surrounding area, which will conserve the character of the conservation area.

- 6.37 It should be noted that proposed shopfront alterations and advertisements will be considered under separate planning and advertisement consent applications, to be submitted in due course.

8. CONCLUSION

- 8.1 This Planning and Heritage Statement accompanies a full planning application for the following proposed development at 6 Broad Street, Reading, RG1 2DP ('the site'):

"Change of use of the ground and basement floor from a shop (Class A1) to a restaurant (Class A3)"

- 8.2 The proposed operator, Tortilla, is a high-quality restaurant operator, established since 2007, with the focus of their food offer on Californian style Mexican food. The brand currently features 36 restaurants nationwide across the UK, predominantly London, however seeks to expand the brand into Oxford.
- 8.3 The principle of the proposed development is entirely in accordance with the relevant planning policies. The proposed Class A3 restaurant use is considered appropriate within the Central Area of Reading, in accordance with Policies CS25, RC6, RC7 and RC10.
- 8.4 There are no adopted policies specifically restricting the loss of Class A1 use. Notwithstanding this, it should be noted that the proposed change of use will wholly meet the requirements of draft Policy CR7 of the emerging draft Reading Borough Local Plan, with the proportion of A1 uses within the Primary Frontage remaining comfortably above the 50% threshold required.
- 8.5 Furthermore the proposed use will reinstate an active use to the existing vacant unit, which will complement and conserve the predominant retail character and function of the Primary Shopping Area, and which in turn will contribute to ensuring the vitality and viability of the City Centre as a whole.
- 8.6 Further to this, the proposal will contribute to the local economy, including the evening economy, and will also create approximately 20-25 full and part time jobs for local people.
- 8.7 With regard to amenity, it has been demonstrated above that there will be no adverse impact on the amenity of any surrounding residential properties as a result of the proposed development, in accordance with Policy DM4. The proposed opening hours are similar to those of other food and drink uses within the surrounding area, and are considered appropriate within this established commercial area within the City Centre. The nature of the proposed use by Tortilla means that there is no requirement for kitchen extract in this instance, and the

existing air handling plant equipment will be utilised for general air intake and extract. Separate planning and advertisement applications for shopfront alterations and signage will be submitted in due course.

- 8.8 Dedicated waste and recycling storage is provided internally within the restaurant layout, and servicing and deliveries will utilise the existing arrangements. As such there will be no adverse impact on amenity or highways arising from the proposal in accordance with Policy DM12.
- 8.9 On the basis of the above, the proposal is in accordance with local and national planning policy and should be considered acceptable. We therefore respectfully request that planning permission is granted.