

TOWN AND COUNTRY PLANNING ACT 1990

**THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) (AMENDMENT)
ORDER 2016**

To: Reading Lettings
98 Addington Road
Reading
RG1 5PX

Application No: 172101
Application type: Shop, Financial, Betting,
Pay day, Casino to Restaurant/Cafe - Class C

**APPLICATION FOR PRIOR APPROVAL
UNDER CLASS C, PART 3 OF SCHEDULE 2 TO THE TOWN AND COUNTRY
PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AMENDMENT)
ORDER 2016**

Applicant: Mr Garner

READING BOROUGH COUNCIL as Local Planning Authority give notice that the prior approval of the Local Planning Authority is **REFUSED** for the following development.

Proposal: Notification of Prior Approval for a Change of Use from Shops (A1) to Restaurant (A3).

At: 219a London Road Reading RG1 3NY

For the attached reasons

OTHER STATUTORY CONSENTS MAY BE REQUIRED

Date: 12 November 2018



Head of Planning, Development
& Regulatory Services *JFM*

Application At: 219a London Road Reading RG1 3NY

Application No: 172101

Application type: Shop, Financial, Betting, Pay day, Casino to Restaurant/Cafe - Class C

REASONS FOR REFUSAL

1. The proposal fails to comply with Paragraph W(11) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) because the proposed development has already begun.

2. The proposal fails to comply with Paragraphs C2(1) (a), (b) and (c) of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) because it fails to demonstrate that the development could operate without having unacceptable impacts upon surrounding residential occupiers and the environment in terms of noise, odour control and the storage and handling of waste, contrary to Policies CS2 (Waste Minimisation) and CS34 (Pollution and Water Resources) of the Reading Borough Local Development Framework Core Strategy (2008, 2015) and Policy DM4 (Safeguarding Amenity) of the Reading Borough Local Development Framework Sites and Detailed Policies Document (2012, 2015).

INFORMATIVES

1. This decision relates to the following plans and documents:

- Land Registry Compliant Floor Plan for 219 London Road, Reading

Received by the Local Planning Authority on 22nd January 2018

- OS Mapping for the Land Registry Compliant Floor Plan of 219 London Road, Reading
- Email 'Fwd: 219 London road reading Rg13ny paul garner' describing the proposed use

Received by the Local Planning Authority on 17th September 2018

2. The local planning authority has worked with the applicant in a positive and proactive way by setting out concerns relating to the proposal and providing an opportunity for the applicant to withdraw the application. However, the applicant chose not to withdraw the application, hence the issuing of this refusal notice.



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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse Prior Approval for the proposed development, then you can appeal to the Secretary of State under section 78 (1)(c) of the Town and Country Planning Act 1990 within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000, or online at www.planningportal.co.uk



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