



**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: K D Paine & Associates Ltd
Kd Paine & Associates Ltd
Adur Business Centre
Little High Street, Shoreham B
BN43 5EG

Application No: 171388
Application type: Full Planning Approval

Applicant: WETHERSPOON

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

Proposal: External seating area, on public footpath, comprising three tables and ten chairs.

At: Baron Cadogan Ph 22-24 Prospect Street Caversham Reading RG4 8JG

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 10 October 2017

Head of Planning, Development
& Regulatory Services

LEB



Application At: Baron Cadogan Ph 22-24 Prospect Street Caversham Reading RG4 8JG

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REASONS FOR REFUSAL

1. The proposed seating area would reduce the footway width to below an acceptable level to facilitate 2-way pedestrian movements and would thereby compromise pedestrian safety, creating a barrier to free pedestrian movement. As a result it would be in conflict with Policy CS20 of the Core Strategy 2008 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).

INFORMATIVES

1. Informatives

The decision relates to the following drawings:

Drawing No: Location Plan 7452 01

Drawing No: Block Plan 7452 02

Drawing No: Proposed Pavement Café 7452 03

Received 11th August 2017

2. The local planning authority has worked with the applicant in a positive and proactive way by clearly 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 within the statutory time period to determine the application by.

3. This planning application was submitted without first having sought pre-application advice, which can often avoid the need to refuse planning permission. The Council's pre-application advice service is here:

http://www.reading.gov.uk/media/1190/Pre-Application-Enquiry-Form/pdf/Pre-app_1_Revised_Nov_2015.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.

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.gov.uk/pcs.

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.