

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**APPLICATION TO VARY/REMOVE CONDITION UNDER SECTION 73 OF THE TOWN
AND COUNTRY PLANNING ACT 1990**

To: Chart Plan (2004) Ltd
Mansard Cottage
65 Stoneleigh Road
Limpsfield Chart
Oxted
RH8 0TP

Application No: 161927
Application type: Variation of Condition

Applicant: Primark Stores Ltd

READING BOROUGH COUNCIL as Local Planning Authority hereby **GRANT** planning permission for the development as described below:-

Proposal: Variation of condition 2 (approved plans) of planning permission 161013 (fenestration alterations, relocated cycle storage and revised external plant granted on 27/09/16 as minor material amendments to original permission 152269, which approved various works, extensions and associated alterations to the building on 14/04/16), namely for minor material amendments including re-positioned and additional rooftop plant and provision of access gantry at roof level

At: 32-41 West Street Reading RG1 1TZ

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: 23 March 2017

Head of Planning, Development
& Regulatory Services

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Application At: 32-41 West Street Reading RG1 1TZ

Application No: 161927

Application type: Variation of Condition

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the original permission (Reference 152269) was granted (on 14/04/2016).

Reason: To prevent an accumulation of unimplemented planning permissions, and in accordance with section 91 of the Town & Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out other than in accordance with the following drawings/documents;

Site Location Plan - MS 050 Rev B, as received 27/05/16

Site Block Plan - MS 051 Rev B, as received 27/05/16

Proposed Lower Ground Floor - MS 20B Rev Q, as received 27/05/16

Proposed Ground Floor - MS 200 Rev R, as received 20/07/16

Proposed First Floor - MS 201 Rev O, as received 27/05/16

Proposed Second Floor - MS 202 Rev O, as received 27/05/16

Proposed Third Floor - MS 203 Rev M, as received 27/05/16

Proposed Street Elevations Friar Street - MS 750 Rev H, as received 20/07/16

Proposed Street Elevations Cheapside - MS 751 Rev H, as received 20/07/16

Proposed Street Elevations West Street - MS 752 Rev H, as received 20/07/16

Existing & Proposed Section AA - MS760 Rev H, as received 27/05/16

Existing & Proposed Section BB - MS761 Rev C, as received 21/12/15

Existing & Proposed Section CC - MS762 Rev H, as received 27/05/16

Existing & Proposed Section DD - MS763 Rev H, as received 20/07/16

Typical Perimeter Plant Enclosure detail - MS 405, as received 08/01/16

Swept Path Analysis: Service Yard - 15052/TK05 Rev B, as received 16/07/16

Proposed Roof - MS 20R Rev R, as received 11/10/16

Proposed Street Elevations Rear Alley (Oxford Road side) - MS 753 Rev G, as received 11/10/16

Existing & Proposed Section E-E - MS764 Rev H, as received 11/10/16

Existing & Proposed Section F-F - MS765 Rev G, as received 11/10/16

New Atrium Roof Plan - MS-801 Rev E, as received 11/10/16

New Atrium Section E-E - MS308 Rev F, as received 11/10/16



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New Atrium Section E-E Roof Details Sheet 2 of 2 - MS-305 Rev D, as received 11/10/16
Nuaire AHU Technical Data Sheet Ref 16/06981/COM, dated 29/09/16, as received 11/10/16

Planning Noise Assessment by dBx Acoustics Ltd, Ref 16099 Primark R01A, dated 26/01/17, as received 27/01/17.

Reason: To clarify which plans have been approved and in the interests of proper planning.

3. The approved Construction Method Statement, as per Construction Management Plan (Rev 01) dated 16/06/16 by BW Workplace Experts, as received 17/06/16, shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety in accordance with Policies CS20 and CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC9 of the Reading Borough LDF Reading Central Area Action Plan 2009 and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

4. Prior to the first occupation of the remodelled and reconfigured offices at ground floor level hereby approved, a final BREEAM (UK Refurbishment and Fit-out - Non-domestic buildings) certificate shall be submitted to and approved, in writing, by the Local Planning Authority, demonstrating that at least a 'Very Good' rating with a minimum score of 62.5 points has been achieved.

Reason: To ensure that the development contributes adequately towards environmental sustainability, in accordance with Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM1 of the Sites and Detailed Policies Document 2012 (Altered 2015).

5. Prior to first occupation of the remodelled and reconfigured offices at ground floor level hereby approved, details and samples of all external materials (including glazing/windows, window frames / cills / surrounds / stallrisers, plant screen, louvered elements on Cheapside, doors, guttering and downpipes) to be used in the construction of the external surfaces of the development, shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in full accordance with the approved details.

Reason: In the interests of safeguarding the character and appearance of the building and the character, appearance and setting of the wider immediate area, in accordance with Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (Altered



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2015) and Policy RC5 of the Reading Borough LDF Reading Central Area Action Plan 2009.

6. Prior to first occupation of the remodelled and reconfigured offices at ground floor level hereby approved, all existing signage, redundant cables and the key clamp handrail at roof level, as shown on Proposed Street Elevations Friar Street - MS 750 Rev H, Proposed Street Elevations Cheapside - MS 751 Rev H and Proposed Street Elevations West Street - MS 752 Rev H, as all received 20/07/16, shall be removed in their entirety.

Reason: In the interests of safeguarding the character and appearance of the building and the character, appearance and setting of the wider immediate area, in accordance with Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC5 of the Reading Borough LDF Reading Central Area Action Plan 2009.

7. Prior to first occupation of the remodelled and reconfigured offices at ground floor level hereby approved, the bicycle store and all bicycle storage spaces shall be provided in accordance with approved plans Proposed Ground Floor - MS 200 Rev R, as received 20/07/16 & Existing & Proposed Section FF - MS765 Rev H, as received 20/07/16. The bicycle store and spaces shall be retained, as approved, at all times thereafter solely for cycle storage purposes.

Reason: To ensure that adequate provision is made for travel to and from the site by sustainable alternatives to a motorcar, in accordance with Policies CS22 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

8. Prior to first occupation of the remodelled and reconfigured offices at ground floor level hereby approved, all waste storage facilities shall be provided in accordance with approved plans Proposed Ground Floor - MS 200 Rev R, as received 20/07/16 & Existing & Proposed Section F-F - MS765 Rev G, as received 11/10/16. The waste storage shall be retained, as approved, at all times thereafter solely for refuse and recycling storage and collection purposes.

Reason: To ensure that sufficient provision is made for the storage and collection of waste and to safeguard the amenity of existing nearby and future occupiers from potential disturbance and/or smells, in accordance with Policy CS2 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Sites and Detailed Policies Document 2012 (Altered 2015).



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9. Prior to first occupation of the remodelled and reconfigured offices at ground floor level hereby approved, the 2 no. on-site vehicle parking spaces to be provided and retained (1 disabled space & 1 for No. 45 West Street) shall be properly surfaced and marked out/provided in accordance with approved plan Proposed Ground Floor - MS 200 Rev R, as received 20/07/16. The spaces shall thereafter be kept available for vehicular parking at all times.

Reason: To regularise the use of the available parking area and to reduce the likelihood of roadside parking which could be a danger to other road users, in accordance Policy CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

10. The plant hereby approved shall be installed in accordance with the details within Nuaire AHU Technical Data Sheet Ref 16/06981/COM, dated 29/09/16, as received 11/10/16 & Planning Noise Assessment by dBx Acoustics Ltd, Ref 16099 Primark R01A, dated 26/01/17, as received 27/01/17. The plant shall be maintained so that 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 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.

Reason: To safeguard the amenities of future office occupiers, the adjoining premises including nearby residential occupiers and the area generally from noise and disturbance, 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).

11. There shall be reviews of the Travel Plan hereby approved (Workplace Travel Plan by Milestone Transport Planning, Ref 15/052 dated December 2015) after 1, 3 and 5 years of the first occupation of the ground floor office use hereby approved, which shall include a detailed survey of the number of movements generated by the site. This shall be compared with the initial survey carried out under the terms of the control level and in the event of any reduction not being secured, the applicant shall undertake whatsoever measures, as may first have been agreed in writing by the local planning authority, as are necessary to cause a reduction in the number of car borne trips to, as a maximum, the control level. This may include such options as a greater provision of subsidised transport.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policy CS23 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).



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12. In connection with the implementation of this permission, no works shall take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. Works shall not take place outside these hours or at anytime on Sundays and Bank Holidays without the prior written approval of the local planning authority.

Reason: To protect the amenity of occupiers of existing nearby properties from noise and disturbance from works connected with implementing this permission, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Sites and Detailed Policies Document 2012 (Altered 2015).

13. The development will be carried out in accordance with the energy details hereby approved in the Energy Statement by CHB Sustainability Ref CHBS-MD-15022-1 dated 18/12/15

Reason: To ensure that the development contributions adequately towards environmental sustainability through energy measures, in accordance with Policy CS1 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM1 of the Sites and Detailed Policies Document 2012 (Altered 2015).

14. The ancillary services to the office accommodation hereby approved shall be used solely by occupiers of the office accommodation and shall not be made available for general public use or hire.

Reason: To ensure that the future occupation of the offices is not over-occupied and does not adversely affect the amenity of adjoining residential premises/immediate area by reason of noise and traffic congestion and is not used for unauthorised purposes, in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

INFORMATIVES

1. The conditions above have been worded with reference to the original permission (Ref 152269/FUL) and the following subsequent applications determined at the site:

Ref 160835/APPCON - condition 3 (Construction Method Statement). Discharged 24/06/16.

Ref 161138/APPCON - condition 4i (BREEAM). Discharged 19/08/16.

Ref 161013/VARIAT - Variation of condition 2 (approved plans) of planning permission 152269 (various works, extensions and associated alterations to the building), namely



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for minor material amendments including fenestration alterations, relocated cycle storage and revised external plant (revised description). Granted following the completion of a deed of variation s106 legal agreement 27/09/16.

2. The Local Planning Authority has worked positively and proactively with the applicant to address issues raised during the course of the application and determine the application in a timely manner.

3. These works will require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.

4. 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.

5. 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 be made aware 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 within the Transport Strategy area of the Transport Section on the Reading Borough Web Site.

6. There should be no burning of waste on the site. For further information about construction and demolition nuisance law the applicant is referred to:

<http://www.reading.gov.uk/environmentalprotection>

7. A Section 106 Legal Agreement (Ref No. 4210, as part of planning permission 152269) and two deed of variations (Ref No. 4245, as part of permission 161013 and Ref No. 4283 as part of this permission) relate to this site. Full copies of all agreements are available on the Public Register held by Reading Borough Council.

8. For the avoidance of doubt, any future proposed signage may require separate advertisement consent. No signage is approved as part of this application.

9. In terms of Surface water drainage, where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

10. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water



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Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .

11. There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

12. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.



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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.co.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.