

S73 APPLICATION FOR ALTERNATIVE OPENING HOURS

STATEMENT

70 WHITLEY STREET, READING



1. PROPOSAL

- 1.1 This statement has been produced to support a Non Material Amendment application for a change of the hours of operation of 70 Whitley Street, Reading ("the Property").
- 1.2 Planning approval has been obtained for the Change of Use of the Property from Use Class A4 to Use Class A1 via application number 181351 on 28th September 2018 ("the Planning Approval").
- 1.3 A non material amendment was granted on 11th October 2018 via application number 181743 to adjust the hours of opening to 6am – 8pm Monday to Saturdays and 7am – 5pm on Sundays and Bank Holidays.
- 1.4 This document sets out to explain the rationale behind the proposed new hours of operation.
- 1.5 Greggs Plc (the current occupier) have not been successful in the operation of their store at the Property, and have issued notice to terminate their lease with effect from 18th February 2024. The Applicant has therefore been marketing the unit for several months to find a new occupier and have now agreed terms, subject to contract for a new lease with a Mr. Ali Yilmaz.
- 1.6 The applicant intends to enter into lease with Mr. Ali Yilmaz to open a grocery store, however, a requirement of the applicant is that the opening hours set out in the planning approvals are extended to enable them to operate a successful business. The opening hours requested are as follows:

Monday – Sunday: 6am – 11pm

- 1.7 The existing approved hours for the Property are:

Monday – Saturday: 6am – 8pm

Sundays & bank holidays: 7am – 5pm

- 1.6 The change reflects a net increase of 25 hours per week.
- 1.7 The Property has been marketed over the last 6 months and approval of this application will enable the Applicant to keep the Property in occupation and ensure that there are no unsociable issues which would impact the residential occupiers above the Property and in the surrounding areas e.g. vandalism and squatters.

2. PROPERTY LOCATION AND CONTEXT

- 2.1 The Property is located within a District and Community Centre, directly opposite a busy parade of shops which includes Tesco Express (open from 6am until 11pm, 7 days per week) immediately opposite the Property.
- 2.2 The customer entrance to the Property is located on the Northern elevation with the busy highway on the Eastern side, car park in front and the entrance doors are not located near to any residential accommodation.

3. PLANNING POLICIES

- 3.1 Hours of operation are conditioned within the Planning Approval in order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy DM4 and Policy CS34 of planning policies at the time of approval.
- 3.2 Policy DM4 was to ensure that the development would not cause a significant detrimental impact to the living environment of existing or new residential properties. It is considered that this amendment will not cause this for the following reasons:
 - 3.2.1 There are no privacy or overlooking issues noting in particular that the access to the Property for customers is at ground level and not in close proximity to any residential accommodation.
 - 3.2.2 Noting the position of the Property next to a busy arterial road and opposite a busy parade of shops, of which Tesco is open from 6am until 11pm, it is not considered that there will be any unreasonable noise and disturbance in the area from customers visiting the Property to purchase groceries.
- 3.3 Policy CS34 was to ensure that there will be no development permitted where it would be damaging to the environment through air, land, noise or light pollution. As this is a non-material amendment for a net change in the hours of operation of 25 hours, it is not considered this would be relevant.

5th March 2024