



Reading
Borough Council

Working better with you

PHILIP Norfolk Planning and Property
Consultants Ltd
112 Linacre Avenue
Sprowston
Norwich
NR78JY

Emma Gee
Acting Executive Director Economic Growth
and Neighbourhood Services

Civic Centre, Reading, RG1 7AE

☎ 0118 9373787

Our Ref: 231516

Direct: ☎ 01189373699

e-mail: Marcelina.rejwerska@reading.gov.uk

5th July 2024

Your contact is: **Marcie Rejwerska, Planning**

Dear Mr Doyle,

TOWN AND COUNTRY PLANNING ACT 1990

Application Reference: 231516

Application type: Approval of Conditions

Address: Orbit House, 64-65 St Marys Butts, Reading

Proposal: Application for approval of details reserved by conditions 5 (Noise assessment), 6 (Odour assessment), 7 (Bin stores) and 8 (Construction Method Statement) of application 201390

I refer to your Approval of Conditions application as described above.

As a reminder, the conditions to be discharged relate to the following information:

- Condition 5 requires a noise assessment for any proposed new mechanical plant to be submitted to the LPA before its installation
- Condition 6 requires an odour assessment of the proposed new kitchen vent to be submitted prior to commencement of works on site
- Condition 7 requires details of refuse and recycling bin stores, their management and vermin proofing to be submitted prior to first occupation of the unit
- Condition 8 requires the submission of a construction method statement to be submitted prior to commencement of works including any demolition.

Information submitted:

Planning Statement, dated August 2023, submitted 23/10/2023

Construction Method Statement, dated 30/08/2023, received 23/10/2023

Site Plan, dated 21/08/2023, received 23/10/2023

Elevations, dated 21/08/2023, received 23/10/2023

Floor Plan, dated 21/08/2023, received 23/10/2023

PizzaFan© Inline, Exoflue, received 23/10/2023
Metaloterm MF, Exoflue, received 23/10/2023
Napule 120 Wood Burning Oven, DEFRA, received 23/10/2023
UV-O Range Specifications, received 18/12/2023
Systemair MUB 042 450EV sileo Multibox, received 13/12/2023
Noise Impact Assessment, Venta Acoustics, dated 8 April 2024, received 13 May 2024

Condition 5 - Noise assessment

Condition 5 cannot be discharged as the supporting information was not submitted before the installation of the mechanical plant, however, the LPA is satisfied that the information submitted would be sufficient to discharge the condition, should it have been submitted on time. Subject to the development being operated only in accordance with the approved details then there are considered to be no outstanding planning matters in relation to this condition, nor matters of enforcement.

Condition 6 - Odour assessment

The submitted information is limited and no EMAQ assessment has been completed to demonstrate that the proposed odour control measures meet the requirements of the premises. Due to insufficient information submitted, Condition 6 is not discharged.

The use of the development has commenced and therefore the development is in breach of this condition and is not operating in accordance with the terms of the planning permission. **This matter will be passed over to Planning Enforcement Officers for further investigation/action as necessary.**

Condition 7 - Refuse and recycling

Insufficient information has been submitted with regards to vermin proofing, storage and collection and refuse. Condition 7 is therefore not discharged. The use of the development has commenced and therefore the development is in breach of this condition and is not operating in accordance with the terms of the planning permission. **This matter will be passed over to Planning Enforcement Officers for further investigation/action as necessary.**

Condition 8 - Construction method statement

Condition 8 cannot be discharged as the supporting information was not submitted before the commencement of works, however, the LPA is satisfied that the information submitted would be sufficient to discharge the condition, should it have been submitted on time. There are considered to be no outstanding planning matters in relation to this condition, nor matters of enforcement.

Should you wish to discuss this matter further, please contact me via my email address or the direct line as above.

Yours sincerely

Marcie Rejwerska
Senior Planning Officer

NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse to grant approval for details submitted pursuant to a condition, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

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 the condition(s) relate to 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 the condition(s) relate to 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 relating to 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 <https://www.gov.uk/appeal-planning-decision>