

**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: Mr Tony Allen
The Old Fire Station EC, Salt Lane,
SALISBURY, United Kingdom, SP1 1DU

Application No: PL/24/0989
Application type: Removal/variation of
conditions

**APPLICATION FOR PRIOR APPROVAL
UNDER CLASS MA, PART 3 OF SCHEDULE 2 TO THE TOWN AND COUNTRY
PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND)
(AMENDMENT) ORDER 2015 (AS AMENDED)**

Applicant: Mr H Schneck

READING BOROUGH COUNCIL as Local Planning Authority hereby **GRANT** Prior Approval for the following development in accordance with the plans and supporting information submitted in connection with this application:

Proposal: Change of use from Class E (commercial, business and service) to C3 (dwelling houses) to comprise 6 flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 without complying with Condition 3 (noise mitigation) of consent ref. 220577 - in order to amend the condition to a compliance condition

At: 175 FRIAR STREET, READING, RG1

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: 30th October 2024



Assistant Director of Planning, Transport and
Public Protection Services
RJE

Application At: 175 FRIAR STREET, READING, RG1

Application No: PL/24/0989

Application type: Removal/variation of conditions

CONDITIONS & REASONS

1. This development under Class MA is permitted subject to it being completed within a period of 3 years starting from 5th July 2022, which is the date prior approval was granted.
REASON: To comply with the requirement of paragraph MA.2.—(5) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

2. The development hereby permitted shall ONLY be carried out in accordance with the following approved plans and documents:

- Application Form dated 14th April 2022
- Allen Planning Ltd Supporting Letter
- Internal Illuminance Analysis ref. ROL21
- jw1077-100 rev A – Location Plan
- jw1077-016 rev B – Existing Elevations sheet 2 of 2
- jw1077-015 rev B – Existing Elevations sheet 1 of 2
- jw1077-010 rev A – Proposed Ground Floor Plan
- jw1077-007 rev B – Existing Elevations sheet 2 of 2
- jw1077-006 rev B – Existing Elevations sheet 1 of 2
- jw1077-004 rev A – Existing third floor plan
- jw1077-003 rev A – Existing second floor plan
- jw1077-002 rev A – Existing first floor plan
- jw1077-001 rev A – Existing ground floor plan
- jw1077-013 rev C – Proposed third floor plan
- jw1077-012 rev C – Proposed second floor plan
- jw1077-011 rev C – Proposed first floor plan

Received by the Local Planning Authority on 19th April 2022

- Pilkington Specification – ref. Pilkington Spectrum Version UK:7:3:1 – dated 25th July 2024

- Secondary Glazing Detail – ref. JW1077-SK023 – dated 30th July 2024

- Acoustic Performance Glazing Configuration by Guardian Glass – dated Friday 5th January 2024

Received by the Local Planning Authority on 2nd August 2024

Date: 30th October 2024



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- Noise report by Jostec – BS4142:2014-A1:2019 and BS8233:2014 Assessment of 173-175 Friar Street, Reading – ref. 22127 - dated 27th September 2024
- Nuaire Summary Fan Date Sheet
- Points of Clarification relating to Acoustic Matters – Acousticians Comments/Responses 173-175 Friar Street Reading
- Drawing ref. jw1077-067 – Proposed First Floor Plan MVHR Ventilation
- Drawing ref. jw1077-068 – Proposed Second Floor Plan MVHR Ventilation
- Drawing ref. jw1077-069 – Proposed Third Floor Plan MVHR Ventilation

Received by the Local Planning Authority on 27th September 2024

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

3. No dwelling hereby permitted shall be occupied until the glazing, mechanical ventilation and any other noise mitigation specified has been installed in full in accordance with the specifications set out in the following documents:

- Pilkington Specification – ref. Pilkington Spectrum Version UK:7:3:1 – dated 25th July 2024
- Secondary Glazing Detail – ref. JW1077-SK023 – dated 30th July 2024
- Acoustic Performance Glazing Configuration by Guardian Glass – dated Friday 5th January 2024

Received by the Local Planning Authority on 2nd August 2024

- Noise report by Jostec – BS4142:2014-A1:2019 and BS8233:2014 Assessment of 173-175 Friar Street, Reading – ref. 22127 - dated 27th September 2024
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All the specified noise mitigation measures shall be retained as approved thereafter.

REASON: In order to protect the amenity of future occupants of the proposed development in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

INFORMATIVES

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1. The proposal meets the relevant criteria set out in Class MA.
2. The applicant is advised that this decision represents the determination of the Local Planning Authority in respect of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) as to whether Prior Approval is required in respect of the change of use only. Class MA does NOT afford any permitted development rights for external works which affect the exterior of the building in order to implement the change of use.
3. It will be up to Council's Parking Permits Team to determine whether occupiers of the residential units will be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.
4.
 - i) 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.
 - ii) 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 note 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 from the Council's website.
5. In connection with the implementation of this prior approval, no noisy construction, demolition and associated activities should take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. No noisy works shall take place at any time on Sundays and Bank or Statutory Holidays. Please refer to the Council's website for more detailed information:
<http://beta.reading.gov.uk/article/2565/What-noise-is-acceptable-during-construction-and-demolition-work>
6. There should be no burning of waste on site.
7. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction

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and demolition associated with the approved development will be subject to environmental health law.

8. To minimise the disturbance by noise of future residential occupiers of the flats and its effect on neighbouring residents, residential accommodation must be designed and constructed or converted so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

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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 via the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000, or online at <https://acp.planninginspectorate.gov.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.

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