

**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: Paul Tunstall
JWPC Ltd
Unit 1b Waterview
White Cross
Lancaster
LA1 4XS

Application No: PL/23/0107
Application type: Full planning permission

Applicant: PDR Ltd

READING BOROUGH COUNCIL as Local Planning Authority **GRANT FULL** planning permission for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Proposed partial change of use from offices (Class E) to provide an expansion to existing entertainment venue (Sui Generis Use) at 9 Gun Street (Purple Turtle) with erection of rear extensions and internal alterations. Detached 3-storey ancillary building to rear boundary with yard over Holy Brook.

At: 10 Gun Street Reading

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: 20th February 2025



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Public Protection Services

Application At: 10 Gun Street Reading

Application No: PL/23/0107

Application type: Full planning permission

CONDITIONS & REASONS

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

REASON: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

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

Drawing No:

206 – 1114 - Proposed Site Plan Rev A

Received by the Local Planning Authority on 30th January 2023

Drawing no. 02-1114 Rev C – Proposed Plans

204-1114 Rev E – Proposed Elevations Sections

Received by the Local Planning Authority on 16th March 2023

Drawing no. 210-1144 – Rear Sectional View through Terrace

Received by the Local Planning Authority on 8th November 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 development shall commence on site, including any works of demolition, until a site specific Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for:
- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
 - b) Location on site for storage of plant and materials used in constructing the development;
 - c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
 - d) Identification of any footpath closures or road closures needed during construction;
 - e) Required wheel washing facilities on site;
 - f) A scheme for recycling waste resulting from the construction works.

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- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction;
- i) Provisions to be made for the control of noise coming from the site during demolition and construction;
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements.
- k) Measures to protect the Holy Brook from pollution

The measures within the approved Statement shall be adhered to throughout the demolition and construction period unless otherwise agreed in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policy CC8 and TR3 of the Reading Borough Local Plan 2019.

4. No development shall commence on site until a copy of an Interim design stage BREEAM certificate in accordance with the BREEAM Sustainability Standard demonstrating compliance with a minimum standard of BREEAM Very Good rating has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

5. No part of the development hereby permitted shall be first used until a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the development has attained as a minimum the standard set out in the Interim BREEAM Certificate referred to in condition 4.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

6. The development hereby permitted shall not be carried out other than in full accordance with the submitted Sustainability Statement (prepared by Scott White and Hookins), Report Ref: B03143 Rev 1.0 received by the Local Planning Authority on 16th March 2023. The sustainability measures set out within the Sustainability Statement shall be implemented in full prior to first use of the development.

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REASON: To ensure the development is carried out in accordance with sustainable principles in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

7. No part of the development hereby permitted shall be first used until a plan showing how cycle parking spaces can satisfactorily be provided on site has been submitted to and approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided in full accordance with the approved details prior to first use of any part of the development and thereafter kept free of obstruction and retained in accordance with the approved details and shall remain available for the parking of cycles at all times.

REASON: These details are required due to insufficient information being contained within this submission and in order to encourage travel by sustainable alternatives to private vehicle in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

8. Not part of the development hereby permitted shall be first used until details of refuse and recycling storage sufficient for the intended development, along with proposed measures to prevent pests and vermin accessing bin stores has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before first use of the development, and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter retained and maintained as such.

REASON: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policy CC7 of the Reading Local Plan 2019.

9. No part of the development hereby permitted shall be first used, until details of how refuse and recycling collections will be managed from the site (including vehicles, servicing and deliveries), has been submitted to and approved in writing by the Local Planning Authority. Thereafter refuse collection, servicing and deliveries shall only be carried out fully in accordance with the approved details.

REASON: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policy CC7 of the Reading Local Plan 2019.

10. No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out for in accordance with BS4142:2014 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive façade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre

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external to the nearest noise-sensitive façade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC8 and EN17 of the Reading Borough Local Plan 2019.

11. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

REASON: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

12. No development shall commence on site (barring demolition) until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. This scheme shall specify means of treatment for hard surfaced areas, means of enclosure including mammal gaps where appropriate, specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees and tree pit specifications where appropriate, and must include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first use of the development or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

13. No development shall commence on site (including demolition or preparatory works) until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to and approved in writing by the Local Planning Authority. Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should conditions at the site for bats change and the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the Local Planning Authority detailing the reasons for this assessment and this report is to be approved in writing by the Local Planning Authority.

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REASON: To ensure that bats, a European Protected Species, are not adversely impacted upon as a result of the development in accordance with Policy EN12 of the Reading Borough Local Plan 2019.

14. No development shall commence on site (barring demolition) until details of a habitat enhancement scheme, to include bat and bird boxes and tiles, has been submitted to and approved in writing by the Local Planning Authority. The scheme is to include a programme for implementation and ongoing maintenance. The habitat enhancement scheme shall thereafter be implemented and adhered to in accordance with agreed programme.

REASON: Details are required prior to commencement as insufficient information was submitted with the application and in order to avoid harm to habitats and species whilst securing biodiversity enhancement in the long term. This accords with Paragraph 175 of the NPPF (2019), Policy EN12 of the Reading Borough Local Plan 2019, the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.

15. The development hereby permitted shall not be carried out other than in full accordance with the submitted Written Scheme of Investigation, prepared by Thames Valley Archaeological Services ref. GSR15/180 received by the Local Planning Authority on 30th January 2023. No part of the development hereby permitted shall be first used until all requirements of the approved Written Scheme of Investigation have been satisfied.

REASON: To ensure that archaeology is suitably protected during as a result of the development in accordance with policy EN2 of the Reading Borough Local Plan 2019.

16. No part of the development hereby permitted shall be first used until all flood mitigation and protection measures as specified within 'Flood Risk Assessment', Report ref: 332511318/100 Rev A received by the Local Planning Authority on 30th January 2023 have been implemented in full. The approved mitigation measures shall be maintained in perpetuity for the lifetime of the development.

REASON: In order to comply with good practice building for flood resilience/safety in the flood zone and in accordance with Policy EN18 of the Reading Borough Local Plan 2019.

17. The Class E(a) café use hereby permitted shall not be used by members of the public outside the hours of 08:00- 00:00 each day

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

18. The Sui Generis entertainment venue use hereby permitted shall not operate or be used by members of the public outside the hours of 11:00 – 04:00 each day.

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REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019

19. The Sui Generis entertainment venue use hereby permitted shall not take place within the parts of the site shown on the approved plans as being permitted for Class E(a) café use (and associated areas) other than for purposes of entering or leaving the premises.

REASON: To accord with the development applied for and to protect neighbouring amenities and the area generally in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

20. The use of any external area at the site shall not operate or be used by members of the public outside the hours of 0800:2300 hours each day.

REASON: In order to protect local residents from unreasonable disturbance arising from the use in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

21. The first-floor external terrace area hereby permitted, as shown on the approved plans, shall only be used in connection with the approved Class E(a) café use at all times and not in connection with any other use.

REASON: To protect neighbouring amenities and the area generally in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

22. No amplified sound or music shall be played within the Green Room at any time following times:

REASON: To safeguard the amenity of nearby occupiers, premises and the area generally in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

23. No part of the development hereby permitted shall be first used until a delivery and servicing management plan has been submitted to and approved in writing by the Local Planning Authority. This shall include a requirement that deliveries, collection of empty bottles and waste collections shall not be carried out between the hours of 20:00 to 08:00 Monday to Saturdays and 20:00 to 10:00 on Sundays and Bank Holidays. Thereafter, the development shall not operate other than in full accordance with the approved deliveries and servicing management plan.

REASON: To safeguard the amenity of nearby occupiers, premises and the area generally in accordance with Policy CC8 of the Reading Local Plan 2019.

24. No part of the development hereby permitted shall be first used until, a premises management plan has been submitted to and approved in writing by the Local Planning Authority. The management plans shall include measures to demonstrate how all aspects of the development will be carried out, used and operated so as to not result in disturbance

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to nearby residential occupiers. The plan shall also detail how the separate approved Class E(a) café and Sui Generis entertainment venue uses shall operate within the same building and include measures to prevent the entertainment venue use straying into the parts of the building approved for café use.

REASON: To safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

25. No part of the development hereby permitted shall be first used until details of all external lighting, including details of how this will not adversely impact wildlife, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a plan indicating the locations of the lights, specifications, height, luminance; lens shape/beam pattern, any hoods/shades and an isolux contour map showing light spillage to 1 lux. No external lighting shall be installed or operated at the site other than in full accordance with the approved details.

REASON: In order to protect wildlife in accordance with Policy EN12 of the Reading Borough Local Plan 2019.

26. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

REASON: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

27. No hot food shall be prepared and served within the development hereby approved until an odour assessment has been submitted to and approved in writing by the Local Planning Authority. The odour assessment shall include a detailed odour management plan with scaled plans, odour control specifications and a maintenance plan. Reference shall be made to the DEFRA guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Jan 2005) when assessing potential odours and selecting appropriate odour control methods. Thereafter, the development shall not be carried or used other than in full accordance with the approved scheme.

REASON: These details are required due to insufficient information being contained within this submission and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

28. The development hereby permitted shall not be carried out, used or operated other than in strict full accordance with the noise mitigation measures set out within the approved Noise Assessment ref. 332511318/100 Rev A, prepared by Stantec received by the Local Planning Authority on 30th January 2023 and approved Sound Insulation Report ref. 11300.2 Rev A prepared by Apex Acoustics received by the Local Planning Authority on

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17th December 2024. All noise mitigation measures outlined in the approved noise assessment and sound insulation reports shall be installed prior to first use of the development hereby permitted and shall be retained in situ for the lifetime of the development

REASON: In order to protect the amenity of surrounding occupiers in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.
2. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted to make clear that they require approval from the Local Planning Authority before any development begins. This is because the details need to be designed or works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.
3.
 - 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.
4. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
5. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact RBC Building Control on Building.control@reading.gov.uk OR telephone 0118 9372449 9.30am to 1.00pm and 2pm – 3pm Monday to Friday
6. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires

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associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

7. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at: www.communities.gov.uk/publications/planningandbuilding/partywall
8. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is NIL CHARGE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments.

For more information go to:

https://images.reading.gov.uk/2019/12/CIL_Advice_to_Applicants.pdf

9. Listed Building Consent ref. 23/0108 relates to this planning permission.

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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.

Street Naming & Numbering

More information can be found online: <https://www.reading.gov.uk/planning-and-building-control/street-naming-numbering/>

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