

Angel Bar,
18 Prospect Street,
Caversham,
Reading,
RG4 8JG

Application under s73 of the Town and Country
Planning Act 1990 for the variation of Condition 2 of
prior approval PL/16/0183 in relation to the opening
hours

Applicant:

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RG4 8JG

Prepared By **PYRAMID PLANNING**

1.0 Introduction

1.1 This statement has been prepared to support a variation of condition application under section 73 of the Town and Country Planning Act 1990, in relation to the proposed change in the hours of operation of Angel Bar, 18 Prospect Street, Caversham, Reading, RG4 8JG (from now on referred to as 'the property').

1.2 In January 2016, the applicant in this instance sought the prior approval of Reading Borough Council under reference PL/16/0183 for prior approval under Class C, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Prior approval was sought for the:

'Change of use from an A1 shop to an A3 restaurant under Schedule 2, Part 3, Class C of the General Permitted Development Order 2015'

1.3 The outcome of that application was that prior approval was given by Reading Borough Council in February 2016, subject to a number of conditions. This included Condition 2 which is the subject of this application which stated:

'The premises shall not operate outside the hours of 8am to 11pm. Reason: in order to protect local residents from unreasonable disturbance arising from the use and in accordance with Policy DM4 of the Sites and Detailed Policies Document (2012)(altered in 2015).'

1.4 Since application PL/16/0183 was given prior approval, in September 2020, the Use Classes Order 1987 was significantly amended and both A1 and A3 use classes were removed and premises that previously fell under either A1 or A3 fell under a newly introduced 'Class E'. Similarly, since prior approval was given, Reading Borough Council adopted a new Local Plan in November 2019.

2.0 Proposal

2.1 This s73 variation of condition application seeks to amend condition 2 of PL/16/0183 to allow for modestly extended opening hours on Friday and Saturday evenings. As it stands, condition 2 limits hours of operation on Friday and Saturday evenings to 11pm. This application seeks to vary that condition to allow the premises to operate between 8am and 12am midnight on Fridays and Saturdays. Hours of operations on other days (Sunday to Thursdays) would remain unchanged.

3.0 Location and Context

3.1. Angel Bar is a restaurant and bar located on the north west side of Prospect Street in Caversham, Reading. The bar currently opens 4 days a week and operates between 4pm and 11pm on Wednesday and Thursday and between 12pm and 11pm on Friday and Saturday. Outside of the advertised operating days, the bar takes private bookings, for parties, birthdays etc.

3.2 Prospect Street is the commercial heart of Caversham and there are a mixture of business types operating under Class E business at both ground floor and first floor levels, including restaurants, bars, retail shops and professional services. In the vicinity of the subject property between the junctions of Church Street and Chester Street, the ground floor uses and the majority of first floor spaces are non-residential. Based on surveys carried out to support this application, it is understood that the only residential premises on this stretch of Prospect Street is a flat above Angel Bar which is used for accommodation by hospitality staff.

3.3 It is known that several other premises and businesses in the vicinity of Angel Bar already operate later than 11pm, this includes:

- The Last Crumb – operates until midnight on both Friday and Saturday nights
- The Clifton Arms – operates until midnight on both Friday and Saturday nights
- Crown Caversham – operates until midnight on both Friday and Saturday nights
- Ova Kebab House – operates until 1am on both Friday and Saturday nights

4.0 Policy Context

4.1 The policy in the Reading Local Plan relevant to this proposal is CC8 – Safeguarding Amenity. The aim of this policy is to ensure that development does not cause a detrimental impact on the living environment of existing residential properties or cause unacceptable living conditions for new residential properties, in terms of, amongst other things, noise and disturbance.

5.0 Statement of Case

5.1 The Angel Bar is located in the heart of Prospect Street in Caversham on what is predominantly a commercial street. Given that the application is seeking the modest extension to its hours of operation, from 11pm until midnight on Friday and Saturday evenings it is not considered that there will be any noticeable effect which could be considered detrimental to the amenity of any residential properties in terms of noise disturbance.

5.2 A number of other drinking establishments in Caversham already operate until midnight on Friday and Saturday nights, including The Last Crumb, and The Clifton Arms. Both of these establishments lie on the periphery of Caversham local centre and are located in what would be described as a residential setting. The Crown on Caversham Bridge also operates until midnight on Friday and Saturday nights, and again is adjacent to significantly more residential properties located on Promenade Road. It is to be noted that all of these establishments offer outside seating, likely leading to additional noise, whereas the application site has neither

front or rear outside seating meaning any decision to grant permission will not lead to additional lingering externally. In addition, there is no external extraction equipment associated with the preparation of food and as such, the additional hour would not result in additional noise in that respect. In addition, the Ova Kebab House on Prospect Street operates until 1am on Friday and Saturday nights, which is situated opposite the subject property. As such, it is clear that a number of other drinking and evening establishment businesses already operate until midnight on Friday and Saturday nights, in predominantly residential settings.

5.3 The Angel Bar and Restaurant by contrast is located in what is considered to be the heart of Caversham local centre. Prospect Street is primarily a commercial street where people can spend money, eat food, and enjoy leisure activities. As such, in practicality, the hours of operation being extended at this premises are very unlikely to generate any additional level of noise disturbance above and beyond that which is already likely to be generated. There is no outside seating at the premises and in reality, the only difference to be seen on the ground is that people will leave the premises up to 1 hour later. The flow of people in this additional hour would be negligible, likely unnoticeable and would not lead to any cumulative effect in terms of noise generation; ultimately people have no reason to linger in the street once they leave the premises.

5.4 The premises has on a number of occasions in the past used Temporary Event Notices (TENs) to extend the hours of operation of the premises beyond those permitted by the current condition restriction. These TENs have included Fridays and Saturdays which extended the opening hours to midnight. As part of this process, it has become apparent to the applicant that the TENs were in fact only in relation to an extension of the licensable hours and not the hours of operation, as regulated by Condition 2 of PL/16/0183. While it is acknowledged therefore that there may on these occasions have been an inadvertent breach of planning control, it has served as a useful indiscretion because during the period of these extended hours, there were no reported instances of antisocial behaviour, nor complaints to Reading Borough Council due to excess levels of noise, or any other disturbance to the amenity or quiet enjoyment of the area.

5.5 Indeed the nature and business model of the establishment and the service it provides is not one that would give rise to any kind of raucous or anti-social drunk behaviours. The predominant clientele of this business is couples and families, and the business model is one where patrons come to enjoy a meal with a drink; it is not a business which attracts large groups who's aim for the evening is to become intoxicated. It is also stated on the applicant's website that food should be consumed alongside any consumption of alcohol.

5.6 The modest extension of the hours of operation on Friday and Saturday nights only, which are the traditional evenings on which an evening economy business is meant to thrive and is expected to operate late in to the evening is not an unreasonable request, nor one which will give rise to any additional harm to amenity or disturbance experienced in terms of noise by any residential properties over and above what might already be experienced.

5.7 Extending the opening hours of the bar and restaurant could significantly benefit the local economy by attracting more patrons and encouraging them to spend money in Caversham local centre. This increased foot traffic positively impacts surrounding businesses such as

restaurants and other businesses. Longer opening hours can contribute to the overall economic vitality and vibrancy of the community. Encouraging a lively nightlife supports a thriving local economy and helps establish the area as a desirable destination for both residents and visitors.

6.0 Conclusion

6.1 In conclusion, the proposal to extend The Angel Bar's operating hours until midnight on Fridays and Saturdays is a modest change that aligns with the relevant policy in the Reading Local Plan. Given the bar's location in a primarily commercial street and the nature of its clientele, as well as a lack of outside seating or external extraction equipment, this proposal is unlikely to result in significant noise disturbance or antisocial behaviour. The history of TENs has shown no adverse impact on local amenities. Overall, this extension could support the local economy by fostering a vibrant evening culture without compromising the quality of life for nearby residents.