

Planning Statement

In support of an Application under Section 73 of the Town and Country Planning Act 1990 (as amended)

to vary Condition 6 of Planning Permission Ref: 181351

Site Address: 70–72 Whitley Street, Reading, RG2 0EQ

Applicant: Atlantis Holdings Limited

Proposal: Variation of Condition 6 (Hours of Opening)

1. Introduction

This Planning Statement has been prepared by a qualified planning consultant on behalf of Atlantis Holdings Limited, in support of an application made under Section 73 of the Town and Country Planning Act 1990 (as amended). The application seeks the variation of Condition 6 attached to planning permission reference 181351, which governs the permitted hours of opening for the commercial premises situated at 70–72 Whitley Street, Reading.

The applicant proposes to extend the permitted hours of operation to better align with the operational demands of prospective occupiers and to contribute more effectively to the local centre's offer. The revised hours sought are as follows:

- **Monday to Saturday: 06:00 – 22:00**
- **Sundays and Bank Holidays: 07:00 – 22:00**

This Statement evaluates the proposal in the context of the relevant planning history, current policy framework, and material considerations including amenity, character, and consistency with national planning guidance.

2. Site Context and Planning History

The application site forms part of a ground floor commercial unit located within a three-storey, mixed-use building in a sustainable and accessible location on Whitley Street, Reading. The surrounding area comprises a mix of commercial and residential uses, reflective of a typical urban neighbourhood centre.

Relevant planning history includes:

- Ref. 181351 (Approved 27/09/2018):
Full planning permission granted for change of use from A4 (public house) to A1 (retail).
Condition 6 restricted opening hours to
07:00–20:00 (Mon–Sat) and 08:00–20:00 (Sun/Bank Holidays).
- Ref. 181743 (Approved 11/10/2018):

A non-material amendment to Condition 6 was approved, allowing revised opening hours of 06:00–20:00 (Mon–Sat) and 07:00–17:00 (Sun/Bank Holidays), following a favourable officer assessment of amenity impacts.

- Ref. PL/25/0863 (Refused 09/07/2025):

A non-material amendment seeking to extend opening hours to 06:00–22:00 (Mon–Sat) and 07:00–22:00 (Sun/Bank Holidays) was refused on the basis that the change was considered material and beyond the scope of Section 96A due to potential amenity concerns.

The current application, made correctly under Section 73, seeks to vary Condition 6 and re-assess the planning merits of the extended hours within the appropriate statutory framework.

3. The Proposed Variation

The applicant seeks to vary Condition 6 of permission ref. 181351 to allow for a consistent trading window across the week. The revised wording proposed is as follows:

"The premises shall not be open to the public outside the hours of 06:00 to 22:00 Monday to Saturday and 07:00 to 22:00 on Sundays and Bank Holidays."

This application does not propose any physical alterations to the premises, nor any changes to the nature or intensity of the use beyond the extended operating hours. All other planning conditions remain applicable and unchanged, including those governing delivery management (Condition 3) and mechanical plant noise (Condition 4).

4. Planning Policy Framework

The proposal has been assessed against the policies of the Reading Borough Local Development Framework, the National Planning Policy Framework (2023), and other material planning considerations.

Local Policy

- Policy CS34 (Pollution and Water Resources): The proposal would not result in unacceptable noise or disturbance and remains consistent with local policy protecting residential amenity.
- Policy DM4 (Safeguarding Amenity): The extended hours are within conventional commercial parameters and appropriate safeguards (existing conditions) remain in place to protect local residents from undue harm.

National Policy

- Paragraph 81 of the NPPF supports conditions for sustainable business growth.
- Paragraph 130 promotes high-quality design and functional places.
- Paragraph 187 ensures planning does not unreasonably restrict viable commercial uses due to proximity to established residential development.

The application meets the objectives of the NPPF by promoting flexibility, economic viability and positive placemaking without compromising local amenity.

5. Amenity Considerations

The site's operational history demonstrates that extended morning hours (approved under ref. 181743) did not result in any amenity complaints or objection. The entrance faces away from sensitive receptors and the area has a mixed-use character that supports some level of evening activity.

The proposal to operate until 22:00 does not extend into late night hours and falls well within normal trading limits for town centre retail activity. Combined with the retained control over delivery and plant noise, the extended hours would not give rise to demonstrable harm.

6. Conclusion

The variation sought through this application represents a proportionate and policy-compliant response to commercial demand, and one that balances the vitality of the local economy with protection of residential amenity.

The application site benefits from an established retail consent. The proposal does not change the approved use but merely extends operational flexibility in a manner that is both reasonable and appropriate for its setting.

The Local Planning Authority is respectfully invited to approve this application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 6 of permission ref. 181351.