

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

Application for Removal/Variation of Conditions

To: Mr Barry Kitcherside
Flat 21 High Cedars,
20 Wray Park Road,
Reigate,
Surrey,
RH2 0DD

Application No: PL/26/0335
Application type: Removal/Variation of
Conditions

Applicant: Mrs Nick Harrison

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 development of a Drive-Through restaurant (Use Class E (a,b) and Sui Generis Hot Food Take Away, Car Parking, enhanced landscaping and Access Arrangements (allowed on appeal under APP/E0345/W/22/3313424 on 27th March 2024) – Variation of conditions 9 (Interim Breeam Certificate) and 10 (Final Breeam Certificate) to change the trigger points for submission of details.

[Section 73 application to vary Condition 2 (Drawings) of planning permission PL/24/0852 to amend the layout, hard and soft landscaping and elevational details and include EV Charging units]

At: Unit 1, Scours Lane, Tilehurst, Reading, RG30 6AX

Subject to such conditions and for such reasons as may be attached

OTHER STATUTORY CONSENTS MAY BE REQUIRED

Date: 3 September 2026



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PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Application At: Unit 1, Scours Lane, Tilehurst, Reading, RG30 6AX

Application No: PL/26/0335

Application type: Removal/variation of conditions

CONDITIONS & REASONS

1. The development hereby permitted shall begin no later than three years from the date on which the original permission (LPA Ref 220637 / Appeal Ref APP/E0345/W/22/3313424) was granted (27th March 2024).

REASON: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

VARIED

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

Site Block Plan 2889-URB-ZZ-00-DR-A-208150 Rev P12
PROPOSED SITE EXTERNAL WORKS SECTION THROUGH STEPS SECTION A _ A
drawing P 24-0805 EW20 Rev P2 received 12th of August 2026
Wildlife Enhancement Plan QD784-301 Revised 1 received 12th of August 2026
QD784-304-Rev G-Cellular Tree Protection System-2026-07-04 received 9th of July 2026
QD787-Soft Landscape Specification-2026-07-07 received 9th July 2026
2889-URB-ZZ-00-DR-A-208151-P06 Ground floor plan proposed received 9th of July 2026
QD784-402-Rev H-Topsoil Details-2026-07-05 received 9th of July 2026
QD784-404-Rev F-Landscape Cross Sections-2026-07-04 received 9th July 2026
QD784-400-Rev L-Detailed Planting Plan-2026-07-05 received 9th July 2026
QD784-300-Rev L-Landscape General Arrangement-2026-07-04 received 9th July 2026
QD784-403-Rev G-Landscape Cross Sections Location Plan-2026-07-04 received 9th July 2026
QD784-Topsoil Specification-2026-07-22 received 9th July 2026
QD784-201-Rev C-Tree Protection Plan-2026-07-07 received 9th July 2026
2889-URB-ZZ-00-DR-A-208150 Site Block Plan P12 received 9th July 2026
QD784-401-Rev K-Hard Landscape Details-2026-07-07 received 9th July 2026
2889-URB-ZZ-XX-DR-A-208250-P03 Proposed Elevations received 26th March 2026
2889-URB-ZZ-00-DR-A-208150-P06 Proposed Block Plan received 26th March 2026

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2889-URB-ZZ-RF-DR-A-208150-P05 Proposed Roof Plan received 26th March 2026
2889-URB-ZZ-00-DR-A-208101-P00 Scours Lane Location Plan received 26th March 2026

Transport Statement dated September 2021

Energy Strategy Statement Rev 01

Noise Impact Assessment dated January 2022

Flood Risk Assessment dated September 2021

Air Quality Assessment dated February 2022

Odour Risk Assessment dated February 2022

Arboricultural Impact Assessment and Arboricultural Method Statement dated 5th August 2022

Tree Survey Report revised January 2022

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.

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.

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.

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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.

VARIED

4. The development hereby permitted shall be carried out in full accordance with the recommendations and mitigation measures contained within the 205024-S01 Phase 1 Environmental Site Assessment prepared by Ashfield Solutions Group, dated 9 August 2024 and received 9 August 2024, and the Envirocheck Data Sheet (Pages 1-83) received 2 July 2024, as approved under application reference PL/24/0842.

Any remediation, mitigation or precautionary measures identified within these documents shall be implemented in full and retained thereafter.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified in the approved documents, works in the affected area shall cease immediately and the Local Planning Authority shall be notified in writing. A scheme to investigate and, where necessary, remediate the contamination shall be submitted to and approved in writing by the Local Planning Authority before development recommences in the affected area. The approved remediation measures shall then be implemented in full.

REASON: To ensure that the development is suitable for its intended use and does not pose unacceptable risks to human health, property, controlled waters, ecological systems or the wider environment, in accordance with Policy EN16 of the Reading Borough Local Plan (2019).

5. No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management, and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) a timetable for its implementation, and
- b) a management and annual maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The development hereby approved shall not be first used until the sustainable drainage scheme for the site has been completed in accordance with the approved Drainage

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Strategy. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON: These details are required due to insufficient information being contained within this submission and in order to reduce the risk of flooding onsite or elsewhere in accordance with Policy EN18 of the Reading Borough Local Plan 2019.

6. **VARIED**

The archaeological works hereby approved shall be carried out in full accordance with the Written Scheme of Investigation for an Archaeological Evaluation (Cotswold Archaeology), CA Project: AN0905, dated August 2024, submitted under application reference PL/24/1070.

Within six months of the completion of the archaeological fieldwork, a final archaeological report shall be submitted to the Local Planning Authority. The report shall include the results of the archaeological investigation together with details of any post-excavation assessment, analysis, publication and dissemination of findings, and archive deposition in accordance with the approved Written Scheme of Investigation.

REASON: To ensure that the archaeological interests of the site are appropriately investigated, recorded, analysed and archived in accordance with Policies EN1 and EN2 of the Reading Borough Local Plan 2019.

VARIED

7. The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans

Reason: In the interests of visual amenity and to ensure a satisfactory appearance and to secure a high-quality form of development that responds positively to the character and appearance of the area, in accordance with Policy CC7 of the Reading Borough Local Plan (2019).

8. No development shall take place above foundation level until a copy of a BREEAM Pre-assessment report produced by a licensed BREEAM assessor organisation in accordance with the BREEAM Sustainability Standard demonstrating how a minimum of BREEAM Very Good rating can be achieved has been submitted to and approved in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and in order 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.

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9. The development hereby approved shall not be first used until a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a Design Stage assessment carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the design has attained as a minimum the standard set out in the BREEAM Preassessment referred to in Condition 9. The Final BREEAM Certificate shall be made available within 12 months of first use following a Post Construction Review carried out by a licensed assessor demonstrating that the development has attained as a minimum the standard set out in the Interim BREEAM Certificate.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

10. No development shall take place above foundation level until a comprehensive scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- a) Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas;
- b) Hard surfacing materials and minor artefacts and other ancillary structures (e.g. furniture, refuse or other storage units, signs, lighting, external services, etc);
- c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable;
- d) A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting;
- e) routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points.

The hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the first use of the development hereby approved or in accordance with a timetable approved in writing by 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.

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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.

11. The proposed cycle parking spaces shall be provided in full accordance with the approved details prior to the first use of the development hereby approved and shall thereafter be retained in accordance with the approved details and shall remain available for the parking of bicycles at all times.

REASON: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policy TR1 and TR5 of the Reading Local Plan 2019.

12. All vehicle parking spaces shall be provided in accordance with the approved details prior to the first use of the development hereby approved and shall be kept available for parking at all times thereafter.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

13. The development hereby permitted shall not be first used until the vehicle access has been constructed in accordance with the plans hereby approved.

REASON: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

14. The development hereby permitted shall not be first used until the proposed Electric Vehicle charging points have been installed. The spaces shall be maintained for vehicle charging in accordance with the approved scheme at all times thereafter.

REASON: In the interests of environmentally sustainable transport in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

15. The development hereby permitted shall not be first used until the refuse and recycling storage facility has been provided in accordance with the approved plans. The facility shall thereafter be retained.

REASON: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CC7 of the Reading Local Plan 2019.

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16. The development hereby permitted shall not be first used until a Delivery and Servicing Plan has been submitted to the Local Planning Authority and approved in writing. This plan shall set out how vehicles shall access the development without creating safety concerns and congestion based on the anticipated number of vehicle trips associated with delivery and servicing vehicles for the development. Thereafter deliveries and servicing will be carried out in accordance with the approved Delivery and Servicing Plan.

REASON: In the interest of the safety and convenience of all highway users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

17. Any deliveries or waste collection to the development hereby permitted shall be restricted to the following times: Monday – Sunday: 7am to 11pm.

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 development hereby permitted shall only be open to customers between the following times: Monday – Sunday: 6am to 11 pm.

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. 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.

20. The specific sound level of the plant/equipment hereby approved, 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, when all plant/equipment (or any part of it) is in operation. The rating level (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive façade (habitable window of a dwelling) shall not exceed the pre-existing background sound level when all plant/equipment (or any part of it) is in operation.

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.

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21. Prior to the first occupation/use of the development, photographic evidence demonstrating the installation of all approved ecological enhancement measures, including but not limited to bird boxes, bat boxes, hedgehog habitats, log piles, wildflower planting and any other biodiversity features shown on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancement measures shall thereafter be retained and maintained for the lifetime of the development.

REASON: To ensure the delivery of the biodiversity enhancements forming part of the approved scheme and to secure ecological enhancement and connectivity in accordance with Policy EN12 of the Reading Borough Local Plan (2019).

INFORMATIVES

1. 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.
2. 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 9.00am to 1.00pm Monday to Friday
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. 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 and demolition associated with the approved development will be subject to environmental health law.

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5. 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.

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.

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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

You must contact Reading Borough Council to:

- Name or number a new development
- Name a new street
- Get addresses for flat conversions
- Name or rename an existing building

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

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