

31 January 2024



Reading
Borough Council

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Title	PLANNING APPLICATION UPDATE REPORT
Ward	Abbey
Planning Application Reference:	230579/FUL and 230695/FUL
Site Address:	109b Oxford Road, Reading
Proposed Development	230579/FUL Replacement shopfront, signage, and front forecourt modification 230695/FUL Change of use from Sui Generis (Betting Shop) to E(b) Restaurant with ancillary Sui Generis takeaway and canopy extraction to the rear of the property
Applicant	Express Team Ltd
Report author	Ethne Humphreys
Recommendation	As per main report
Conditions	As per main report, with condition wording in full as follows: <i>230579/FUL (shopfront)</i> 1) The development hereby approved shall have been implemented and all unauthorised works (as set out in the extant Enforcement Notice dated 17 January 2020) shall have been removed from the site within 2 months from the date of this permission. REASON: In the interests of preserving the character and appearance of the Russell Street/Castle Street/Oxford Road Conservation Area in accordance with Policies CC7 and EN3 of the Reading Borough Council Local Plan 2019. 2) The development hereby permitted shall ONLY be carried out in accordance with the following approved plans: Location and Block Plan Dwg No.1.0 Proposed Plans and Elevations Dwg No.3.0 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) The materials to be used in the construction of the shopfront and forecourt of the development hereby permitted shall be as specified on the plans and in accordance with samples submitted.
REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policies CC7 and EN3 of the Reading Borough Local Plan 2019.

4) 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.

230695/FUL (change of use and extraction)

1) The Class E (b) restaurant use hereby approved shall cease within 1 month from the failure to comply with any one of the requirements set out in conditions 2 and 3 of this permission 230695/FUL and the use shall not be carried out at any time thereafter.

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 approved shall have been implemented and all unauthorised works (as set out in the extant Enforcement Notice dated 17 January 2020) shall have been removed from the site within 2 months from the date of this permission.

REASON: In the interests of preserving the character and appearance of the Russell Street/Castle Street/Oxford Road Conservation Area in accordance with Policies CC7 and EN3 of the Reading Borough Council Local Plan 2019.

3) The Kitchen Ventilation System shall be installed strictly in accordance with the approved plans and specifications, including the mitigation measures specified within the odour and noise assessments 'Revised Noise Control Assessment Letter Ref MDR/J5015e dated 29th August 2023, Odour Letter Ref Project No 150 by Michael Bull & Associates dated September 2023'. The ventilation system shall be managed and maintained in accordance with the approved plans and specifications at all times thereafter.

REASON: To safeguard the amenity of nearby premises and the area generally in accordance with Policy CC8 and EN16 of the Reading Borough Local Plan 2019.

	<p>4) The development hereby permitted shall ONLY be carried out in accordance with the following approved plans: Location and Block Plan Dwg No.1.0 Proposed Plans and Elevations Dwg No.3.0 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.</p> <p>5) The specific sound level of the kitchen ventilation system hereby approved, (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade 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 rating level, LAr,Tr (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, LA90,T when all kitchen ventilation system (or any part of it) is in operation. REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policies CC8 and EN17 of the Reading Borough Local Plan 2019.</p> <p>6) The premises shall not be open to the public outside the hours of 1130hrs – 2300hrs on Sundays to Thursdays and Bank Holidays and 1130hrs – 2330hrs on Fridays and Saturdays. REASON: In the interests of safeguarding the amenity of nearby occupiers, in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.</p> <p>7) Hours for deliveries are restricted to 0800hrs to 2000hrs Monday to Saturdays and 1000hrs to 1800hrs on Sundays and Bank Holidays. REASON: To protect the amenity of neighbouring residents of the proposed development in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.</p> <p>8) The measures within the approved bin storage and litter management plan shall be permanently retained, maintained and adhered to for the lifetime of the development. REASON: To control litter resulting from the use in the interests of the visual amenity of the area. In accordance with Policies CC7 and CC8 of the Reading Borough Local Plan 2019.</p> <p>9) The main use of the premises hereby approved shall be as a Class E (b) (Restaurant) only. REASON: To ensure that the Planning Authority retains effective control over the use of the premises and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.</p>
Informatives	As per main report

1. Further to the publication of the main agenda report, the conditions for both applications have been set out in full as above.

Case Officer: Ethne Humphreys