

DELEGATED APPLICATION REPORT

Target Date: 15/01/20

Application No: 191778/FUL

Address: Unit 5a, Kings Walk, King Street

Proposal: Change of use from restaurant (Class A3) to restaurant and shisha lounge (Sui Generis), with various external alterations

Case Officer: Tom Hughes

Site Description and Surrounding Area

The application site comprises a first floor restaurant within Kings Walk. The site is located within Market Place/London Street Conservation Area, and Air Quality Management Area and a Smoke Control Zone.

Proposal

The proposal is for a change of use to incorporate a shisha lounge to the existing restaurant. Various alterations are proposed to facilitate the change of use, including the enlargement of the existing terrace overlooking Yield Hall Place.

Plans Considered

Design & Access Statement (received 06/11/19)

Drawing No: HAD3166-03 Rev. A - Proposed First Floor Plan (received 11/11/19)

Drawing No: HAD3166-05 Rev. B - Proposed Roof Plan (received 11/11/19)

Drawing No: HAD1234-04 Rev. B - Proposed Elevations (received 11/11/19)

Odour Assessment ref: EGE 639 Rev. C by AVAL Consulting Limited (received 25/03/20)

Noise Impact Assessment ref: 639 Rev. C by AVAL Consulting Limited (received 25/03/20)

Relevant Planning History

None.

Consultation Responses

Neighbouring owners and occupiers at were consulted by letter. A site notice was displayed. No letters of representation were received.

Reading Borough Environmental Protection

Advised that the odour assessment was lacking in its consideration of nearby sensitive receptors, and that the noise assessment was inaccurate.

Equality Act 2010

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it

is considered there would be no significant adverse impacts as a result of the development.

Relevant Planning Policy and Guidance

The following local and national planning policy and guidance is relevant to this application:

National Planning Policy Framework

Reading Borough Local Plan (2019)

Policy CC1 - Presumption in Favour of Sustainable Development

Policy CC2 - Sustainable Design and Construction

Policy CC7 - Design and the Public Realm

Policy CC8 - Safeguarding Amenity

Policy EN1 - Protection and Enhancement of the Historic Environment

Policy EN3 - Enhancement of Conservation Areas

Policy EN6 - New Development in a Historic Context

Policy EN15 - Air Quality

Policy EN16 - Pollution and Water Resources

Policy EN17 - Noise Generating Equipment

Policy CR5 - Drinking Establishments in Central Reading

Appraisal

Due to the poor quality of information provided, it has not been demonstrated that no significant harm would be caused to neighbouring residential amenities in terms of noise and odour nuisance generated by extraction equipment, and by users of the external terrace. The development is therefore contrary to Policies CC8 and EN16 of the Reading Borough Local Plan (2019).

Conclusion

The proposal has been assessed and found to be unacceptable, as it is contrary to the identified policy and guidance.

RECOMMENDATION

REFUSE