

DELEGATED APPLICATION REPORT

Target Date: 05/06/2020

Application No: 200547/FUL

Address: 81 Broad Street, Reading, RG1 2AP

Proposal: Siting of ventilation/extraction equipment to flat roof to rear.

Case Officer: David Brett

Applicant: Bee World UK Ltd t/a Jollibee Restaurant

Site Description and Surrounding Area

The proposal site is a three-storey building that is part of a terraced row on Broad Street. The vacant ground floor unit was previously a café, the plans within this application would allow the ground floor to be used as a restaurant. The ground floor is currently classified as A3, permitting the use of the space as a restaurant or café. The surrounding area comprises of a retail high street, with 81 Broad Street fronting on to a pedestrianised area of Broad Street.



1. Existing Elevations. Photo taken on 12/05/2020.



2. Existing Elevations. Photo taken on 12/05/2020.

Proposal

The proposal seeks the siting of ventilation/extraction equipment to flat roof to rear of 81 Broad Street.

Internal Consultations

Reading Borough Council, Environmental Protection - Response received on 05/05/2020

- The noise assessment submitted has been carried out in accordance with BS4142:2014 and the methodology has been correctly applied. The assessment concludes that the specific noise level of the proposed plant will not exceed -10dB below the background noise and the rating level does not exceed the background noise so adverse impact on the local noise climate is unlikely.*

- *In addition to concerns about noise (as discussed above), cooking odour is often a significant problem in commercial kitchens and therefore the applicants must provide an assessment of the likelihood of odours based on the proposed cuisine and a statement of how the proposals will ensure that odour nuisance will be prevented. Reference must be made to the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (January 2005).*
- *I note that some odour abatement details have been submitted, but a risk assessment is also required to demonstrate that the proposed odour abatement is sufficient for the particular circumstances.*
- **Further response on 28/05/2020 regarding Odour Assessment provided on 11/05/2020:**
 - *I am happy that the proposed system will be sufficient to deal with cooking odours from the premises.*

External Consultees

- 80 Broad Street, Reading, RG1 2AP
- 83 Broad Street, Reading, RG1 2AP
- 83b Broad Street, Reading, RG1 2AP
- 65-67 Broad Street, Reading, RG1 2AF
- 68 Broad Street, Reading, RG1 2AF

No external consultation responses have been received.

Plans/Documents Considered

The agent supplied the following plans:

- Location Plan - 416.LP.01
- Brochure-UV-O-Technical-Sheet-22.02.18_V4
- Plant Noise Impact Assessment - 89176
- Existing Plans - Ground and First - 20009-001
- Existing Plans - Basement and Second - 20009-002
- Existing Elevations - Front - 20009-011
- Existing Elevations Rear - 20009-012
- Planning Front Elevation - 20009-P201
- ~~Planning Rear Elevation - 20009-P202~~
- Proposed Elevations Rear - 20009-012
- Proposed Plans Ground and First - 20009-101
- Proposed Plans Basement and Second - 20009-102
- Proposed First & Second Floor Plan - 001-728-01
- ~~Proposed First & Second Floor Plan - 001-728-02~~
- ~~Proposed Second Floor Rear Elevation - 001-728-03~~

These plans were received on 10th April 2020

- Jollibee Reading - Odour Assessment
- ~~Equipment Schedule Not for Construction - 001-728-ES-A~~
- ~~Proposed First & Second Floor Plan - 001-728-02-A - Error on plans~~
- ~~Proposed Second Floor Rear Elevation - 001-728-03-A - Error on plans~~

These plans were received on 11th May 2020

- Equipment Schedule Not for Construction - 001-728-ES-B
- Proposed First & Second Floor Plan - 001-728-02-A
- Proposed Second Floor Rear Elevation - 001-728-03-A

These plans were received on 28th May 2020

Relevant Planning History

141887 - Change of use from A1 to A3 (retrospective) - Application permitted on 21/01/2015

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Borough Local Plan (adopted November 2019).

The 'National Planning Policy framework' ('NPPF') 2012 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given).

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2012;
National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

- CC8: Safeguarding Amenity
- EN15: Air Quality
- EN17: Noise Generating Equipment

Appraisal

The main issues considered in this proposal are as follows:

- a) Character and Appearance
- b) Noise
- c) Odour
- d) Air Quality

- a) Amenity, Character and Appearance

The proposed plant equipment to be installed on the roof of the second floor will be situated to the rear of the 81 Broad Street. The proposed equipment would not be visible from the street scene and is considered not to have a detrimental appearance on the

character and appearance of the surrounding area by virtue of its siting and placement away from public view.

b) Noise

The proposal specifies the installation of noise generating equipment. As such, the proposal has been assessed against policy EN17: Noise Generating Equipment of the Reading Borough Local Plan (Adopted November 2019). The policy states that applications are unacceptable where the proposed noise generating equipment is within 10dBA of the existing background level as measured at the nearest noise sensitive receptor.

The noise assessment submitted has been carried out in accordance with BS4142:2014 and the methodology has been correctly applied. The assessment concludes that the specific noise level of the proposed plant will not exceed -10dB below the background noise and the rating level does not exceed the background noise so adverse impact on the local noise climate is unlikely. The application has demonstrated that the noise generating equipment would be compliant with policy EN17 of the Reading Borough Local Plan.

c) Odour

The proposal specifies the installation of equipment for the purposes of food preparation and cooking within a planned commercial kitchen. As such, the proposal has been assessed against policy CC8: Safeguarding Amenity of the Reading Borough Local Plan (Adopted November 2019). The policy states that applications are unacceptable where development will cause a detrimental impact on the living environment in terms of smell.

A Odour Assessment was submitted to support this application on 11/05/2020 in accordance with the DEFRA guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Jan 2005). The report demonstrated that the equipment used within the proposed commercial kitchen and associated air flow system sufficiently deals with cooking odours in a way that would not detrimentally impact the living conditions for the surrounding area. The application has demonstrated that the proposed kitchen and associated air flow system would be compliant with policy CC8 of the Reading Borough Local Plan.

d) Air Quality

This proposal has been considered against Reading Borough Local Plan policy EN15, as the proposal site is within an Air Quality Management Area (AQMA). As demonstrated in the policy, this proposal does not meet the requirements for an Air Quality Assessment (AQA) and is considered not enough of a detrimental impact air quality to warrant such an assessment due to the size and scale of the proposal.

Conclusion

The development has been assessed and the works are considered to be in accordance with the above relevant policies and planning permission can be granted.

Recommendation

GRANT

Conditions

TL1: Time Limit (Standard)

The development hereby permitted shall begin no later than three years from the date of this planning permission.

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.

AP1: Approved Plans

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

- Location Plan - 416.LP.01
- Brochure-UV-O-Technical-Sheet-22.02.18_V4
- Plant Noise Impact Assessment - 89176
- Existing Plans - Ground and First - 20009-001
- Existing Plans - Basement and Second - 20009-002
- Existing Elevations - Front - 20009-011
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- Proposed Plans Ground and First - 20009-101
- Proposed Plans Basement and Second - 20009-102
- Proposed First & Second Floor Plan - 001-728-01

These plans were received on 10th April 2020

- Jollibee Reading - Odour Assessment

These plans were received on 11th May 2020

- Equipment Schedule Not for Construction - 001-728-ES-B
- Proposed First & Second Floor Plan - 001-728-02-A
- Proposed Second Floor Rear Elevation - 001-728-03-A

These plans were received on 28th May 2020

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.

N8: Noise Levels of Plant/Equipment Restricted

The specific sound level of the plant/equipment 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 plant/equipment (or any part of it) is in operation.

REASON: To safeguard the amenities of the adjoining premises and the area generally, in accordance with Policy CC8 and EN17 of the Reading Borough Local Plan 2019.

INFORMATIVES

IF1: Positive and Proactive Working - approval

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.

IF5: Terms

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.

IF6: Building Control

Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

IF7: Complaints about construction

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.

I12: Bats & works to roofs

Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link:

<https://www.gov.uk/wildlife-licences>