

DELEGATED APPLICATION REPORT - Application No: 190515/FUL**Address:** 57 Basingstoke Road**Proposal:** Proposed change of use to A5 (takeaway)**Case officer:** James Overall**Site Description and Surrounding Area**

The application relates to a ground floor unit located on the south east side of Basingstoke Road. Whilst currently vacant, it was previously in use as an A1 shop. No.57 Basingstoke is located within a parade of shops with residential units above and is defined as a Major Local Centre (Policy SA15) in the Sites and Detailed Policies Document 2012 (altered 2015).

Proposal

The proposal seeks planning permission for a proposed change of use of the ground floor of the building from A1 (retail) to A5 (hot food takeaway).

As a result of the change of use, an extraction unit and flue is proposed to the side of the property (at the rear).

Plans Considered

Plan Type	Description	Drawing Number	Date Received
Location Plan		N/A	27 Mar-19
Block Plan		N/A	27 Mar-19
Plans & Elevations		01 Rev A	30 Jul-19
Plans & Elevations	Technical	18166	27 Mar-19

Relevant Planning History

Application Number	Description	Outcome
180852	Pre-application for change of use to A5 (takeaway)	Observations sent on 18 Jul-18
181978	Change of use from A1 (currently vacant) to A5 (takeaway).	Application Withdrawn

Consultation Responses

Neighbouring owners and occupiers at the following properties were consulted by letter:

- 55 Basingstoke Road
- 59 Basingstoke Road
- 1 Surrey Road

In addition to this, a site notice was displayed.

No letters of representation have been received.

Transport

The Transport department was consulted on 10 April 2019. No response has been received; however, their response to a previously withdrawn application for the same proposal (181978), stated:

"It is considered that the proposed change of use from A1 use to A5 use will have a negligible impact in terms of Transport. The existing A1 use did not have any associated parking and none is to be provided for the A5 use."

Parking restrictions are in place directly outside the site in the form of double yellow lines and loading restrictions. Parking is not permitted in front of the unit as this is part of the public footway. However, short stay waiting bays are available on the opposite side of the road. A Residential Parking Scheme also operates in the surrounding roads.

In view of the above, there are no transport objections to this proposal".

Environmental Protection

The Environmental Protection department was consulted on 10 April 2019. Their comments received on 30 April 2019 stated:

"Environmental Protection concerns

- *Odour and noise - kitchen extraction*

The application includes an odour risk assessment which determines the risk of odour nuisance as high risk. Therefore odour control measures are necessary.

There are proposals for kitchen extraction to include various specific parts which it is understood will treat the odour, but there is no report to demonstrate why those have been selected and how these will be effective in dealing with odours.

There is limited noise data provided for the kitchen extraction. A BS4142:2014 noise assessment should have been submitted but the applicant has only provided noise specifications for 2 items, so it is unclear of the predicted impact on local residents.

More information is required before consent should be given. Refusal is recommended".

Further information was sought, and on 30 May 2019, after reviewing this, the Environmental Protection team stated:

"The information is sufficient for noise and odour that I have no further objections to the installation of the kitchen extraction".

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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. However the NPPF does not change the statutory status of the development plan as the starting point for decision making (NPPF paragraph 12).

In this regard, 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).

Accordingly, the National Planning Policy Framework and the following development plan policies and supplementary planning guidance are relevant:

Reading Borough LDF Core Strategy (Adopted January 2008, altered 2015)

- CS7 Design and the Public Realm
- CS26 Hierarchy of Centres
- CS27 Maintaining the Retail Character of Centres
- CS34 Pollution and Water Resources

Sites and Detailed Policies Document (2012, altered 2015)

- SD1 Presumption in favour of sustainable development
- DM4 Safeguarding Amenity
- DM12 Access, Traffic and Highway-related Matters
- DM13 Vitality and Viability of Smaller Centres
- DM23 Shopfronts and Cash Machines

Appraisal

Principle of use

Policy CS27 of the Core Strategy states that the retail character of smaller centres will be maintained.

Policy DM13 (Vitality and Viability of Smaller Centres) substantiates this, by setting out a number of provisions, including:

- i) Within key frontages, no more than 3 consecutive uses will not be in A1 retail use;
- ii) Within key frontages, the proportion of the total length of the key frontage in A1 use will be above 50% for Basingstoke Road North local centre;
- iii) There would be no more than 2 consecutive A5 takeaways;
- iv) No more than 30% of the length of the key frontage would be in A5 use.

The unit does not fall within the key frontage of the Basingstoke Road North local centre as identified on the Proposals Map.

A survey of the shopping centre frontage has been undertaken and No.61 Basingstoke Road is in residential use, No.59 is an A5 takeaway, No's 55 and 53 is an A1 shop (supermarket), No.51 is an A1 shop (supermarket) and No.49 is an A5 takeaway. There would be no more than 2 consecutive A5 takeaways.

Therefore, the proposal would not exceed any of the thresholds set out in policy DM13 and the principle of change of use is acceptable in policy terms, subject to all other material considerations being acceptable.

Design and Character

The proposed external flue would project above the eaves height of the property, but not beyond the ridge.

It is not considered that this would result in any significant harm to the character of the building and to the rear the flue would not be visible from the street-scene (Policies RC5 and CS7).

Amenity

The main issue in terms of residential amenity is noise and odours from the extraction equipment associated with the proposed use.

Following initial comments from the Environmental Protection Officer the applicant has submitted a report titled: 'noise and odour risk assessment and proposed mitigated measures'.

This report has been assessed by the Environmental Protection team, who are satisfied that the noise levels generated by the proposed extraction equipment would meet the required criteria for noise; and likewise with that of odour.

The use of the premises as a hot food takeaway might generate additional usage over and above the current use, especially in the evening hours, however, it is not considered that this would be so significant to be detrimental to neighbouring residential properties especially considering there is an existing hot food takeaway businesses nearby, within

this parade of shops; as well as the fact that there is already a significant amount of noise generated by the traffic on this busy road.

The proposed hours of use of the premises are 11:00 hrs to 23:00 hrs. Monday - Sunday. It is considered that the opening hours be restricted to these hours in the interests of the nearby residential occupiers and is not considered unreasonable given the operating hours of nearby hot food takeaways. This can be secured by way of a suitably worded condition (DM4 and CS34).

Informatives are also recommended with regard to associated construction work hours and to prevent burning of waste on site.

Bin storage is proposed as existing, which is to the rear of the site. This area has an access alley to Surrey Road. This is the same setup as other commercial premises' within this parade. It is therefore considered that the bins will be easily accessible and therefore the storage is considered acceptable.

Transport

Although the Transport department did not comment on this application, as previously mentioned, their correspondence at pre-application raised no concerns. As such it is considered that the proposal is acceptable from a transport perspective.

Conclusion

It is considered that the proposal is acceptable, subject to conditions, for the reasons set out in this report.

RECOMMENDATION:

GRANT Permission