

152 Oxford Rd ref 240938

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Mon 09/09/2024 14:35

To: Rejwerska, Marcelina <Marcelina.Rejwerska@reading.gov.uk>



Internal Memorandum

To:	Ms Marcelina Rejwerska	Your Ref:	PL/24/0938
From:	Rebecca Moon - Environmental Health Officer	My Ref:	EP /779180
Date consultation received:	30/07/2024	Date:	9 September 2024

Application Number: PL/24/0938

Premises Address: 152 Oxford Road Reading RG1 7PJ

Application For: Change of Use from Estate Agent to Hot food takeaway

Environmental Protection concerns

- Noise arising from development
- Delivery hours/waste collections/opening hours
- Odour and noise – kitchen extraction
- Bin storage - rats

Noise within mixed use scheme (e.g. commercial use on the ground floor and flats above)

I have concerns about noise from the proposed commercial use affecting the residents above as the noise from a hot food takeaway use is likely to impact residents significantly more than an estate agent use – due to activities taking place inside the kitchen, and also due to the hours of operation. The following condition is recommended, or an assessment to be provided prior to consent being given.

- **N24 NOISE MITIGATION SCHEME (INTERNAL) - MIXED USE (TO BE SUBMITTED)**

No development shall commence on site until a detailed scheme for protecting the dwellings from noise emissions from the commercial use hereby approved and informed by an assessment of the likely noise emissions from the approved commercial use, has been submitted to and approved in writing by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the separating floor/ceiling between the uses achieves a minimum airborne sound insulation performance of greater than or equal to 55 dB (Dntw +Ctr) and ensures that the noise levels within the property do not exceed the values specified in BS8233:2014 with appropriate penalties and adjustments for the character of the noise. The scheme shall make suitable provision for insulation from structure borne noise.

Thereafter, the development shall not be carried out other than fully in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is first occupied and shall be retained and maintained as such at all times thereafter.

REASON: In order to safeguard the amenity of occupiers of the residential accommodation in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

Noise – opening hours

I have concerns about the potential for noise disturbance due to commercial operations on occupants of nearby residential properties, particularly late at night and early morning, so a restriction on permitted hours for these activities is recommended. Suitable hours to be proposed by the planner.

• **N16 HOURS OF OPENING/OPERATION**

The premises shall not be used by members of the public outside the hours of [INSERT START TIME] to [INSERT FINISH TIME] on Mondays to Saturdays and [INSERT START TIME] to [INSERT FINISH TIME] on Sundays or Bank Holidays.

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.

Noise generating development – mechanical plant or commercial activities

Applications which include noise generating plant or commercial activities when there are nearby noise sensitive receptors should be accompanied by an acoustic assessment carried out in accordance with BS4142:2014+A1:2019 methodology.

For mechanical plant noise

A noise assessment has not been submitted:

A noise assessment has not been submitted with the application and therefore I cannot determine the likely noise impact of the proposal and whether the proposals are acceptable. I therefore recommend refusal unless a noise assessment can be submitted and considered by us before the application is determined.

Alternatively the following condition could be attached to consent, however it is possible that the criteria would not be met with the plant specifications proposed in this application and a new application may need to be made at a later date for alternative plant / location.

• **N2 MECHANICAL PLANT (NOISE ASSESSMENT REQUIRED)**

No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out for in accordance with BS4142:2014+A1:2019 methodology. The predicted specific sound level (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 predicted 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. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard.

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.

Kitchen Extraction – odour

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 EMAQ guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Sept 2018) or the (withdrawn) DEFRA version (Jan 2005).

The following condition could be attached to the consent, however it is possible that the criteria cannot be met with the plant specifications proposed in this application and a new application may need to be made at a later date for alternative plant / location.

• **N11 VENTILATION & EXTRACTION (TO BE SUBMITTED)**

No development shall commence on site until an odour assessment has been carried out and a detailed odour management plan to include scaled plans, odour control specifications and a maintenance plan has been submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the EMAQ guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Sept 2018) or the (withdrawn) DEFRA version (Jan 2005) when assessing potential odours and selecting appropriate odour control methods. When assessing potential odours, the assessment shall consider the full range of cooking types that may be

conducted under the permitted use. Thereafter, the development shall not be carried out other than in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Bin storage – rats

There is a widespread problem in Reading with rats as the rats are being encouraged by poor waste storage which provides them with a food source. Where developments involve shared bin storage areas e.g. flats and hotels there is a greater risk of rats being able to access the waste due to holes being chewed in the base of the large wheelie bins or due to occupants or passers not putting waste inside bins, or bins being overfilled. Where developments involve a food related business then there is a greater risk of rats being attracted to the waste. It is therefore important for the bin store to be vermin proof to prevent rats accessing the waste. I recommend the following condition.

- **Condition - Details of bin stores**

No [dwelling/development] hereby permitted shall be first occupied until details of refuse and recycling bin stores have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to prevent pests and vermin accessing the bin store(s). The approved bin storage, including pest and vermin control measures, shall be provided in accordance with the approved details prior to first occupation of any permitted [dwelling/development] and shall not be used for any purpose other than bin storage at all times thereafter.

Reason: To ensure that adequate provision is made for the storage and collection of refuse in accordance with Policy CS2 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

If you have any queries please contact me.

Kind regards,

Rebecca Moon - Environmental Health Officer

Rebecca Moon

Principal Environmental Health Officer

Environmental Protection & Nuisance Team

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