

DELEGATED APPLICATION REPORT

Ward: Tilehurst Ward

App Ref: PL/24/1279 Full planning permission

Address: 8, Park Lane, Tilehurst, Reading, RG31 5DL

Proposal: Installation of an extraction system and associated flue to the rear of the building.

Applicant: Mr. Zakir Khan

Received date: 30/09/2024

Target Decision date: 29/11/2024 (EXT)

Case Officer: Huimin Chen

1. SITE DESCRIPTION

The proposal site is a shop located along a terraced row on Park Lane, Tilehurst, while the first floor has been separately registered as 8a Park Lane. No. 8a is for residential use and is also owned by the applicant, as confirmed by the agent via email dated 25 November 2024. There is a large public space with parking bays at the bottom, which could be accessed via the existing drop kerb and driveway at the side of the building. The adjoining property, No. 6 Park Lane, is currently a restaurant. The surrounding area is largely residential, except for the primary school to the northeast of the proposal site and the small parade of shops along the terraced row.

Site Visit: 12 November 2024



2. PROPOSAL AND SUPPORTING INFORMATION

The proposal seeks the installation of an extraction system and associated flue to the rear of the building. Part of the plant would extend approximately 1 metre above the existing eave height of the building. The extraction system would include a silencer, an acoustic carbon filter unit, and an anti-vibration mount.

Plans under consideration:

Drawing No. 19/662/001 – Site Location and Block Plan

Drawing No. 19/662/002 – Existing Plans and Elevations

Drawing No. 19/662/003 – Proposed Plans and Elevations

Noise Impact Assessment dated 12/8/2024, issue 01

OC2 Guide

R02 Rectangular Silencers

Box Fan Unit Specifications

AV Mount and Cowl Specifications

Ozone Dispersion Specifications

Pre Filter Specifications

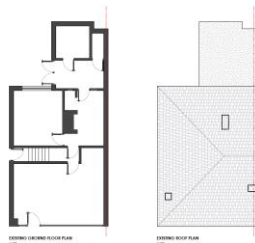
Carbon Filter Specifications

Commission NG and Maintenance Manual

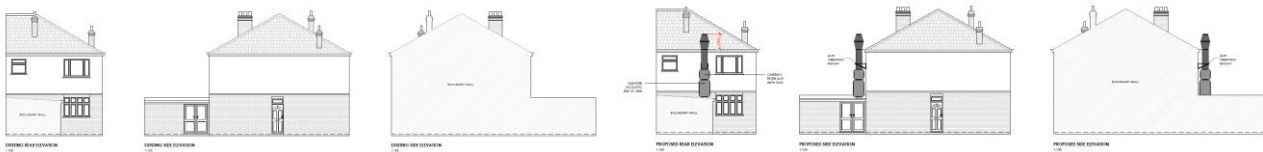
Baffle Filter Specifications
Planning Statement
Received on 30 September 2024.

& an email from the agent dated 28/11/2024 confirms that the proposed external surfaces of the extraction system would be stainless steel.

Existing Plans and Elevations:



Proposed Plans and Elevations:



Relevant Planning History:

PL/95/0617 (8 Park Lane) – Change of Use from A1 (shop) to A3 (food and drink). – Refused
PL/20/0874 (6 Park Lane) – Conversion of outbuilding to extension including relocating existing kitchen and associated internal works. Relocation of extractor system at existing restaurant. Rerouting existing residential access. – Approved

3. CONSULTATIONS

Internal consultation:

Reading Borough Council, Environmental Protection:

- *An odour risk assessment needs to be completed in accordance with EMAQ guidance to confirm that the proposed odour mitigation is suitable for the site specific situation.*
- *The noise assessment appears to have some errors/inconsistencies in the data, for example the background noise level is quoted to be 47 dBA in some parts and 51dBA in others.*

The following addresses were consulted by letter:

- 7 Park Lane, Tilehurst READING RG31 5DJ
- 6 Park Lane, Tilehurst, READIN, RG31 5DL
- 9 Park Lane, Tilehurst, READING, RG31 5DJ
- 8a Park Lane, Tilehurst, READING, RG31 5DL
- 5 Park Lane, Tilehurst, READING, RG31 5DJ
- Flat, 10 Park Lane, Tilehurst, READING, RG31 5DL
- Nesbitts Hair Salon, 10 Park Lane, Tilehurst, READING, RG31 5DL

Site Notice has been displayed at the front window of the shop for 21 days. No letters of representation have been received.

4. LEGAL AND PLANNING POLICY CONTEXT

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.

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

National Policy

National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Plan (2019)

CC7 (Design and the Public Realm)
CC8 (Safeguarding Amenity)
EN16 (Pollution and Water Resources)
EN17 (Noise Generating Equipment)

5. APPRAISAL

The main issues considered in this proposal are as follows:

- a) Land use issues
- b) Impact on the existing premises and surrounding area
- c) Amenity, Security, Public Safety and Accessibility
- d) Environmental Protection Concerns

a) Land use issues

Following the site visit, 8 Park Lane is currently a 'Picture frames, art, & mirrors' shop, which falls under Use Class E(a). According to the submitted planning statement, "*The ground floor unit will undergo a change of use to E(b) restaurant; the change of use is made possible due to permitted development rights*". The planning statement also clarifies that "*It is important to note that this application is only seeking planning permission for the installation of the extractor system*." If the applicant/agent wishes to obtain lawful confirmation of the property's use, the officer suggests submitting a Certificate of Lawful Development for Proposed Use.

b) Impact on the existing premises and surrounding area

The proposed development of the extractor system is not considered to drastically alter the character and appearance of the proposal site or the surrounding area, as it would be located entirely at the back of the property and would be invisible from the street. The existing access to the first floor, 8a Park Lane, would remain unchanged. Therefore, it is not considered to raise any design concerns, while acknowledging that this is largely a utilitarian addition.

Overall, the proposed development is considered appropriate in terms of design and appearance in accordance with policy CC7 of the Reading Borough Local Plan 2019.

c) Amenity, including Security, Public Safety and Accessibility

This proposal has also been assessed against Reading Borough Local Plan policy CC8: Safeguarding Amenity, which states that proposals are acceptable where they will not cause a detrimental impact on the living environment of existing residential properties with regard to:

- Privacy and overlooking
- Access to sunlight and daylight
- Harm to outlook

No significant adverse impacts are envisaged in these regards as a result of the development.

However, concerns relating to smell, noise and disturbance will need to be addressed via the submission of odour and revised noise assessments. Odour and revised noise assessments will be submitted to the local authority for approval, as detailed in the EP section below.

In terms of access for the occupiers of the upper floor, 8a Park Lane, this proposal would not change the entrance's arrangement, therefore no significant risks in terms of entrance of upper floor.

d) Environmental Protection Concerns

Concerns raised by Environmental Protection include:

- *An odour risk assessment needs to be completed in accordance with EMAQ guidance to confirm that the proposed odour mitigation is suitable for the site specific situation.*
- *The noise assessment appears to have some errors/inconsistencies in the data, for example the background noise level is quoted to be 47 dBA in some parts and 51dBA in others.*

With regards to the odour and revised noise assessments required to support this application, these will be secured via condition to any approval for this application. Development would not be able to commence until an odour and revised noise assessments relating to the proposed installation of the extractor system has been provided to the local authority and approved in writing by the local authority.

The pre-commencement conditions Mechanical Plant (Noise Assessment Required) and Ventilation & Extraction (To Be Submitted) were agreed by the agent in writing on 25/11/2024. This is in line with section 100ZA (5) of the Town and Country Planning Act (as amended).

6. 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.

7. RECOMMENDATION GRANT

Conditions

Time Limit

Approved Plans

Materials (As Specified)

Mechanical Plant (Noise Assessment Required)

Ventilation & Extraction (To Be Submitted)

INFORMATIVES

Positive and Proactive Working - approval

Terms

Building Control