

DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: PL/24/0938 Full planning permission

Address: 152 OXFORD ROAD, READING, RG1 7PJ

Proposal: Change of Use from Estate Agent to Hot food takeaway

Applicant: Isreal Edwards

Received date: 24/07/2024

Target Decision date: 26/03/2025 (EOT)

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site is an end-terrace two-storey property on the north side of Oxford Road. The site is an identified key frontage within the Oxford Road West district centre. The site is also within the Castle Hill/Russell Street/Oxford Road conservation area and the building sits within a wider terrace of buildings of townscape merit. The site is contained to the ground floor of the property, while the first floor comprises a self-contained residential flat. Immediately to the east of the site is a BP petrol station. The surrounding area comprises both commercial and residential properties.



Application site as seen from Oxford Road. Image taken from Google Maps on 27/01/2025.

2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission is sought for the change of use from estate agent office (Class E) to a hot food takeaway (Sui Generis). The proposal includes the erection of a kitchen exhaust vent at the side elevation to discharge at the roof level.

2.1. Information Submitted:

Design and Access Statement

New Extraction System Quote, Carlton Services, dated 24 July 2024

Received 24 July 2024

20250123 9706 Reading C -2 Sound Insulation and Background Noise Report, Martec
Environmental Consultants Ltd
Received 23 January 2025

103235V3 Commercial Kitchen Odour Risk Assessment, Miller Goodall Ltd, dated 30 January 2025
Received 2 February 2025

208_ORR_PL1 Rev D Oxford Road Reading Planning A1 Rev D Proposed Plans and Elevations
Received 17 March 2025

3. RELEVANT PLANNING HISTORY

PL/05/1133 - Retrospective application for two advert boards at first floor level and a larger advert board to right-hand side of entrance door. Application closed.

4. CONSULTATIONS

The following were consulted:

- **RBC Conservation Officer** - The proposal is acceptable in principle. However, it would remove the original chimney breast and insert a commercial kitchen with a new ventilation and extraction system, which requires further consideration and submission of details. Therefore, I suggest the following conditions:
 - To provide structural support for the upper floors' chimney structure and chimney
 - To submit the elevational drawing for the external elements of the proposed kitchen ventilation and extraction system (pre-commencement) and
 - Informative for the use of matching traditional materials after the removal of the chimney breast and for the external elements of ventilation/extraction system
- **RBC Transport Development Control** - In transport terms, it is considered that the proposed change of use would not have a material impact on the character of the traffic in the vicinity of the site. Therefore, there are no transport objections to this application
- **RBC Environmental Protection** – Concerns raised regarding noise arising from the development with respect to first floor residential unit, delivery hours, waste collections, opening hours, odour and noise of the proposed kitchen extraction and bin storage in relation to vermin proofing.

Officer note: As per consultation responses, a noise assessment and odour assessment were requested prior to recommendation. The submitted noise assessment initially stated that the LPA's target for internal sound insulation may not be achieved. A revised noise assessment has been submitted to demonstrate proposed methodology for sound insulation which is expected to achieve the LPA's targets. A condition is recommended however to ensure a verification report is submitted once the work is completed and before the first use of the takeaway.

All adjoining properties were consulted via letter. No letters of representation were received.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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).

National Policy and Guidance

National Planning Policy Framework
National Planning Practice Guidance
Conservation Principles Policies and Guidance 2008

Reading Borough Local Plan (2019)

CC1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CC5: WASTE MINIMISATION AND STORAGE
CC7: DESIGN AND THE PUBLIC REALM
CC8: SAFEGUARDING AMENITY
EN3: ENHANCEMENT OF CONSERVATION AREAS
EN15: AIR QUALITY
EN17: NOISE GENERATING EQUIPMENT
RL3: VITALITY AND VIABILITY OF SMALLER CENTRES
TR1: ACHIEVING THE TRANSPORT STRATEGY
TR3: ACCESS, TRAFFIC AND HIGHWAY-RELATED MATTERS
TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

Other documents

Revised Parking Standards and Design SPD 2011
Russell Street/Castle Hill Conservation Area Appraisal 2020

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application listed above is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the draft updated Local Plan. Therefore, they can continue to be afforded weight in the appraisal below and are not considered to be ‘out of date’.

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.

6. APPRAISAL

Land use matters

Policy RL3 sets out the expectations for development in local centres to ensure their protection and enhancement. With regards to hot food takeaways, RL3 states the following limitations:

- No more than 2 consecutive hot food takeaways and no more than 30% of the length of the Key Frontage would be in takeaway use

There are 4 other hot food takeaways within this section of the parade on Oxford Road, however, none are adjacent to each other. Monitoring data of local and district centre uses also shows that Oxford Road West was most recently recorded to be comprised of just over 10% hot food takeaways. Therefore, there are no objections in principle to the change of use, subject to the development being in accordance with all other policy requirements.

Character and design

Policy CC7 sets out design requirements for new developments. Policy EN3 sets out the requirements for enhancement of conservation areas. The Russell Street/Castle Hill/Oxford Road conservation area appraisal identifies relevant negative issues and vulnerabilities within the surrounding area:

- *The on-going degradation of property façades with the loss of historic features and detailing such as traditional doors and windows, roofing materials, and frontage treatments. This is most noticeable along the Oxford Road, Prospect Street, Russell Street and in streets to the east with Waylen Street, Zinzan Street, Howard Street, Anstey Street, Body Road, Carey Street and Baker Street.*
- *The intense use and ongoing replacement of original windows and doors with modern uPVC substitutes on both unlisted and listed properties badly alters façades.*
- *Architecturally unsympathetic extensions and alterations including poor quality dormers, loss of chimney stacks and chimney pots and the loss of front walls onto streets.*
- *Persistent rubbish management issues have resulted in the loss of front boundary walls for bin hard-standings in front gardens. High numbers of bins in front gardens and on pavements negatively affect streetscape views.*
- *Modern retail signage in poor condition, loud and unsympathetic colours and lighting create an uneven grain and jarring appearance along the Oxford Road.*
- *Poor condition of much of the Oxford Road, including inappropriate modern shopfront conversions, metal roller security screens, wires.*

As such, development in this area should be particularly sensitive to those vulnerabilities and aim to enhance the conservation area.

With the exception of an external kitchen exhaust, there are no external alterations proposed, and no shopfront alterations. The existing shopfront is modest and appropriate to the site, and it is not considered that the change of use will deteriorate this in any manner. The applicant should be aware of the need to obtain advertisement consent for any new advertisements on the site. The proposed kitchen exhaust on the external elevation is not considered harmful to the character of the conservation area.

Overall, the application is considered acceptable in terms of design and external appearance.

Residential amenity and pollution

Policy CC8 requires all development to not cause a detrimental impact on the living environment of existing residential properties. Policies EN15 and EN17 are relevant and require all development to have regard for pollution and its effects on the environment and sensitive receptors.

Concerns associated with the proposed use of the site relate to noise and odour. A noise assessment has been submitted to demonstrate internal insulation to prevent unreasonable noise stress on the existing residential flat above the premises. This has been revised in line with the recommendations of the RBC Environmental Health Officer, and the proposed noise mitigation strategies are considered acceptable. Similarly, the submitted odour assessment and mitigations are considered acceptable.

The proposal there is not considered to present any risk to residential amenity.

Other matters

Refuse is proposed to be stored within the existing small rear outdoor area, as shown on the revised proposed plans. The agent has confirmed that the bins will be too large to fit through the doorways to presented at the roadside for collection, therefore, refuse will have to be presented in bin bags at the roadside. Due to the nature of the waste, these will have to be reinforced bin bags and particular care taken with regards to vermin proofing. A condition is therefore recommended to secure details of refuse collection from the site prior to its first use.

There are no existing vehicle parking arrangements on this site, and none are proposed, which is considered acceptable.

7. CONCLUSION

The proposal has been assessed against national and locally adopted policies and is considered in accordance with those policies.

8. RECOMMENDATION

GRANT PERMISSION

Conditions:

1. Time Limit (Standard)
2. Approved plans
3. Materials to match
4. Plant noise restriction
5. Refuse collection to be submitted prior to first occupation
6. Details of refuse storage to be submitted prior to first use
7. Litter strategy to be submitted prior to first occupation
8. Odour mitigation strategy to be implemented as per submitted details
9. Opening hours
10. Noise assessment to verify sound insulation methodology to be submitted once installed and prior to first use