

DELEGATED APPLICATION REPORT

Ward: Battle ward

App Ref: PL/26/0028 Full planning permission

Address: 349 OXFORD ROAD, READING, RG30 1AY

Proposal: Change of use from vacant retail unit (Class E) to Kurdish shawarma takeaway (Sui Generis)

Applicant: Mr Amir Ahmad

Received date: 12/01/2026

Target Decision date: 10/06/2026 (agreed extension of time)

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site is a mid-terrace two-storey property in the Oxford Road West Local Centre. The ground floor is currently a vacant Class E unit previously occupied by a grocery store. There is a residential flat above which is not part of this application. The site is identified as a key frontage within the Local Centre. Oxford Road is comprised of a variety of commercial uses with flats above.



Figure 1 Photo of the frontage taken by the case officer on 17 March 2026.

2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission is sought for the change of use from the existing vacant retail unit (Class E) to a Kurdish shawarma takeaway (Sui Generis). The proposal includes the installation of a kitchen flue at the rear elevation, a bin store and cycle parking at the rear of the site. The proposed opening hours are:

- Monday to Friday: 11.00 to 23.30
- Saturday: 11.00 to 00.00
- Sunday/Bank Holidays: 11.00 to 11.00

2.1. Information submitted:

Design and Access Statement, submitted 12 January 2026

Risk Assessment for Odour, Plasma Clean Air Ltd, received 22 April 2026

J06228 Plant Noise Assessment, Sound Planning, dated 8 April 2026, received 21 April 2026
Plasma Clean Air -Ecofleece-Grease-Filters 2026, received 22 April 2026
Electro-Clean-ESP-2026, received 22 April 2026
Plasma Clean Air Discarb Activated Carbon Datasheet 2026, received 22 April 2026
Waste Managed Duty of Care - Atlas Shawrma, received 30 April 2026
P1706-02A plans and elevations (REV 300426), received 30 April 2026
P1706-01B Location Plan (REV 300426), received 30 April 2026

3. RELEVANT PLANNING HISTORY

None.

4. CONSULTATIONS

The following were consulted:

- RBC Transport Development Control – Details required regarding cycle storage and refuse storage and collection.
- RBC Environmental Health – Revised noise and odour assessments are acceptable. Information required relating to internal noise environment/acoustic insulation if premises are proposed to be open after 23.00.

Site notices were displayed on Oxford Road and Edinburgh Road in the public interest. No letters of representation were received.

5. LEGAL AND PLANNING POLICY CONTEXT

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 December 2024

National Planning Practice Guidance

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

EN16: POLLUTION AND WATER RESOURCES

EN17: NOISE GENERATING EQUIPMENT

TR5: CAR AND CYCLE PARKING AND ELECTRIC VEHICLE CHARGING

RL1: NETWORK AND HIERARCHY OF CENTRES

RL3: VITALITY AND VIABILITY OF SMALLER CENTRES

Supplementary Planning Documents (SPD)

Revised Parking Standards and Design Guide 2011

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 pre-submission draft was submitted to the Secretary of State on the 9th of May 2025 and is currently at examination.

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

6.1. Land use matters

Policy RL3 states “*Within district, major local and local centres, development will be permitted provided that: There would be no more than 2 consecutive A5 takeaways, and no more than 30% of the length of the Key Frontage would be in takeaway use...*” NPPF Paragraph 97 states “*Local planning authorities should refuse applications for hot food takeaways and fast food outlets: a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour.*”

The application site is situated between a nail salon and a pharmacy. There are two other takeaways within the same terrace and neither adjoin each other. The latest frontage monitoring data was updated in 2024 and shows that within the Oxford Road West district centre the current proportion of takeaways makes up 10.5% of the commercial uses in the district. As such, the proposal for a takeaway on this application site is acceptable in principle, subject to all other material considerations.

6.2. Character and design

Policy CC7 requires all development to be of high design quality that maintains and enhances the character and appearance of the local area.

The application site is a key frontage within the Oxford Road West district centre. There are no changes proposed to the layout of the shopfront which has a typical appearance to the local area. An informative is recommended to confirm that no advertisement is included with this planning decision, and the applicant will be required to obtain separate advertisement consent if necessary. A kitchen flue is proposed on the rear elevation and appears reasonably sized and is therefore not considered to be exceedingly harmful to the design and appearance of the site.

Overall, the proposal is not considered harmful to the character and appearance of the site nor the wider area.

6.3. Residential amenity and pollution

Policy CC8 requires development to not cause a detrimental impact on the living environment of existing residential properties. Policy EN16 requires development to not be damaging to the environment and sensitive receptors through land, noise, or light pollution. Policy EN17 is also relevant and states *“Where noise generating equipment is proposed, the noise source specific level (plant noise level) should be at least 10dBA below the existing background level as measured at the nearest noise sensitive receptor.”*

The application site has a flat above, and flats above shops on either side within the terrace – this is a typical arrangement on Oxford Road. The residents living above and the residents backing onto the application site are identified as the sensitive receptors. There are inherent risks to a hot food takeaway associated with noise and odour of a commercial kitchen. The applicant initially submitted noise and odour assessments which the RBC Environmental Health team requested be revised as they had not been carried out by qualified persons and were not site specific. The applicant has since submitted noise and odour assessments in line with the officer requests, and these are considered acceptable as they demonstrate no harm to the nearby sensitive receptors. A number of abatements are proposed for both noise and odour, therefore conditions are recommended to ensure compliance with the proposed strategies.

It is not known what the level of acoustic insulation is in between the ground floor and the flat above, and there are inherent risks to the residents associated with late night comings and goings of customers and staff. Without a further investigation of the existing noise environment on site or additional acoustic insulation proposed, it is not considered acceptable for the takeaway to remain open past 23.00 (all days of the week). This has been negotiated with the applicant who has agreed to restrict the hours of operation to 22.30 (all days) at the latest. A condition is recommended to secure this and an informative included to ensure a noise assessment is secured in the event that the applicant wishes to extend the hours of operation in the future.

6.4. Transport and refuse

Policy TR5 requires all new development to provide appropriate levels of car parking, cycle parking depending on the location within the borough. Policy CC5 is also relevant and requires demonstration of good design to waste storage, reuse, and recycling.

The site fronts onto the A329 Oxford Road which is the main transport corridor and is a designated red route between central Reading and the west. The site is located within the Zone 2, the primary core area but on the periphery of the central core area which is an area at the very heart of Reading Borough, consisting primarily of retail and commercial office developments, with limited residential. This area is well served by rail and bus links and also contains the largest proportion of public car parking spaces.

The site has no parking provision, which is similar to other commercial uses along Oxford Road, although there is restricted on street parking available provided in parking bays in close proximity to the site. These parking bays provide adequate parking for the retail uses in the vicinity of the site.

Cycle storage should be provided in accordance with current adopted standards which states 1 space per 6 staff. The location of the proposed cycle parking has been shown on the Location plan, however, the full details of the cycle parking are recommended to be secured via condition prior to first use of the site.

A refuse storage area is also demonstrated at the rear of the site, and documentation submitted by the applicant to demonstrate that the refuse will be collected by a private company. Full details include pest proofing are recommended to be secured via condition prior to first use of the site.

7. **CONCLUSION**

The application has been assessed in line with national and locally adopted policies and is considered to be in accordance with those policies.

8. RECOMMENDATION

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Recommended conditions:

1. Time limit standard
2. Approved Plans
3. Materials to match
4. Plant noise restricted
5. Odour control as specified
6. Hours of operation restricted 11.00 to 22.30 all days
7. Litter strategy to be submitted
8. Cycle parking details to be submitted prior to first use
9. Full details of refuse storage and collection, including pest proofing to be submitted prior to first use.

Informatives:

1. Terms
2. Building Control
3. Complaints about construction
4. Encroachment
5. Noise assessment will be required in the event that the applicant proposes to extend opening hours in the future.
6. No advertisement is granted as part of this decision. Advert consent will be required separately.