



Change of Use of ground floor flat to kitchen for existing restaurant and takeaway including installation of flues and roller shutter door

Purbani and 1 The Mews, Botley

[Design, Access, Heritage and Planning Statement](#)

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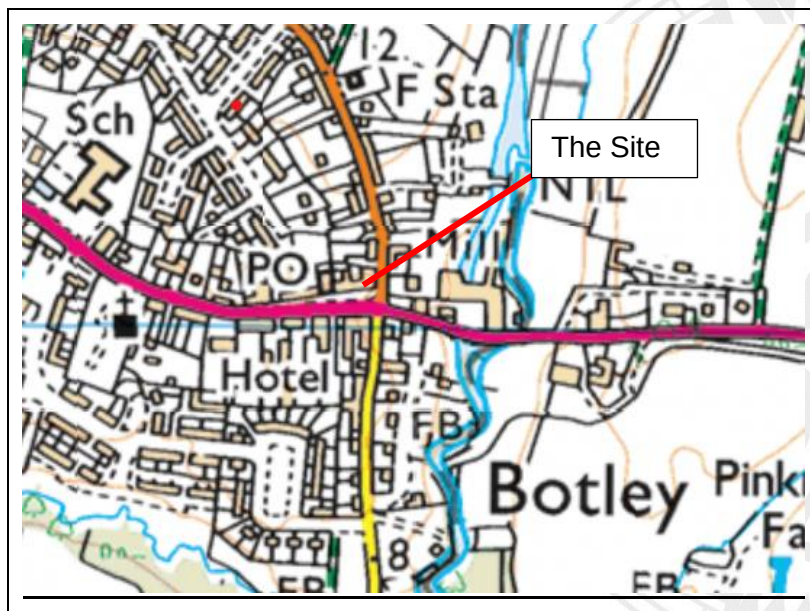
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1.0 INTRODUCTION

1.1 Southern Planning Practice Ltd is instructed by Purbani Botley Restaurant Ltd to submit an application for the change of use of two flats to kitchen (for the existing restaurant and takeaway), installation of flues and roller shutter door on the north elevation at Purbani & 1 The Mews, Botley



1.2 The application comprises the following documents:

- Site Location Plan E-AP-468.01B
- Block Plan E-AP-468.02A BP
- Site Plan (Topographical Survey) 9444/01

- Existing Elevations and Floor Plans (Building Survey) 9444/02
- Proposed Site Layout 8808-01-00
- Proposed Elevations TR174814-DRG-002-R3
- Details of Kitchen Extraction Equipment CK Direct

1.3 The following reports accompany the application: -

- Noise Assessment by 24 Acoustics
- Highway Technical Note by Nick Culhane.

1.4 There are several benefits that flow from the proposal. It: -

- allows for social distancing
- contributes to an existing business
- creates efficiencies of storage, reducing deliveries
- improves working conditions
- provides a separate cooking and preparation area for food allergies and intolerances
- creates an efficient and safe layout
- contributes to job retention

1.5 This statement describes the location of the site and its surroundings; it will then examine the scheme, planning history, the relevant planning policies and discuss the merits of the proposal in the context of policy.

2.0 **SITE**

- 2.1 The site lies on the northwest corner of B3354 and the Botley Road (A334) one door in from the actual corner. It comprises restaurant and takeaway and one ground floor flat which is accessed from the service yard which lies to the rear (north).



- 2.2 Immediately adjacent to the property, to the east, is a takeaway and to the west a beauty salon and beyond, a café, and then The Bugle Inn, a Grade II listed building flanking the service yard. Directly behind the service yard is 1 Vintage House and 3 Winchester Street. The latter property which fronts Winchester Street, (with No1 tucked

behind it) is a Grade II listed building which looks out onto 8 Winchester Street, opposite, which is also listed as Grade II.



- 2.3 The north side of the premises is a modern flat roof, brick and hanging tile extension, comprising kitchen and storage area with flat above and on its far side in the service yard a ground floor flat with flat above. The service yard is hemmed in by walling and buildings which back on the yard.
- 2.4 A single parking space is owned by the applicant and is allocated to its business. At the front of the parking, there are two small off-street car parks.

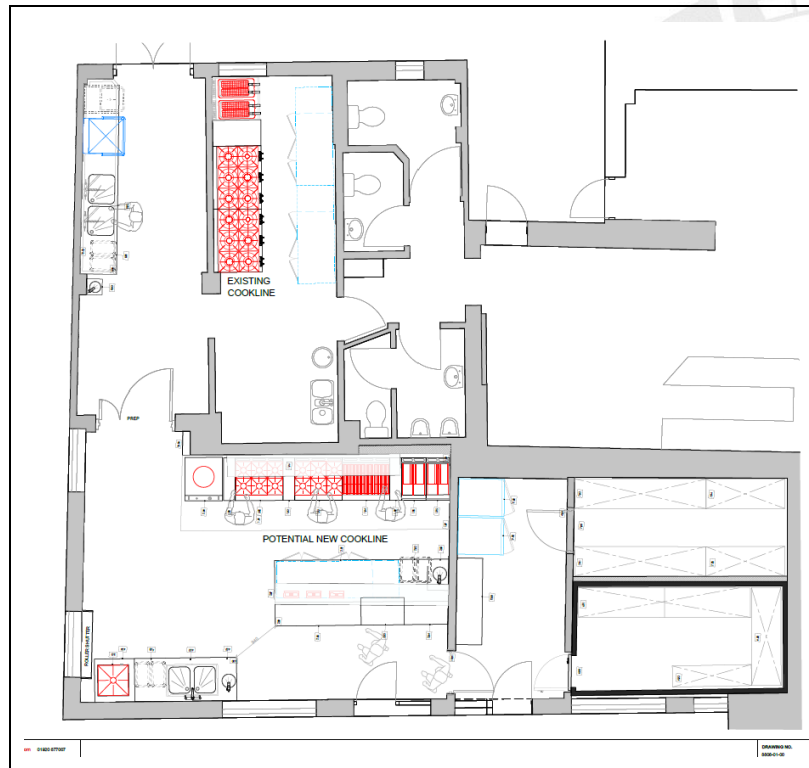


3.0 PLANNING HISTORY

- 3.1 There have been no recent applications relating to the site which materially impact on the proposal.

4.0 **THE PROPOSAL**

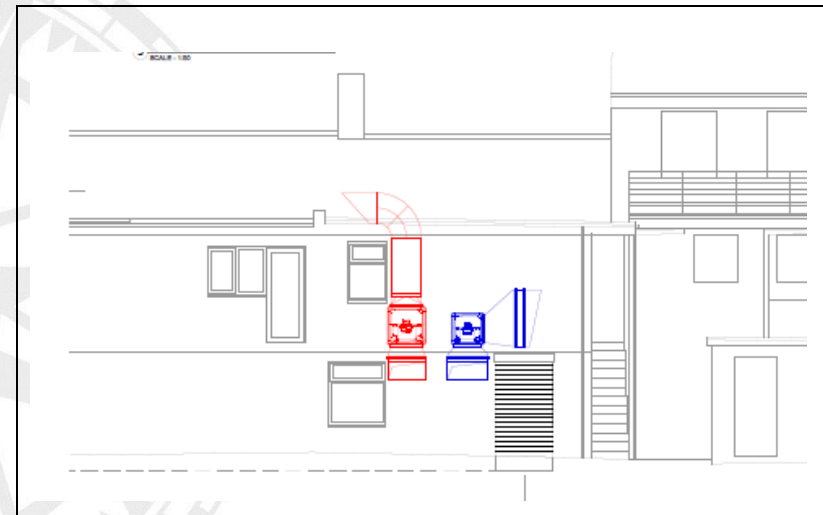
4.1 The existing kitchen is very cramped with little storage space and room for cooking and moving around the kitchen. Staff work on top of one another because of the very confined space.



4.2 The proposal seeks to reconfigure and extend the existing kitchen into what is currently an unoccupied ground floor flat to provide a kitchen, preparation area, and cold storage area. Its southern end

would be used for cold storage and the other half would form the preparation and cooking area. The existing kitchen arrangement would remain but be modified with new equipment.

4.3 A new 1.2m wide metal roller shutter door for deliveries would be installed on the north elevation replacing a window opening.



4.4 Two new flues for the new extractor fans would also be positioned between what are currently two ground floor windows. The higher one is the extractor flue and the lower one is the air intake flue.

4.5 The bins will be relocated following the completion of the work to the back of the car park.

5.0 **POLICY**

5.1 Government advice is contained in the National Planning Policy Framework (the NPPF) and the National Planning Policy Guidance (NPPG) which are material to the consideration of the application. At the heart of the NPPF is a presumption in favour of sustainable development. The following paragraphs are of most relevance:

<i>Achieving Sustainable Development</i>	<i>Paragraph</i>
The purpose of the planning system is to contribute to the achievement of sustainable development.	7
There are three, interdependent, overarching objectives to sustainable development: economic, social and environmental, which need to be pursued in mutually supportive ways	8
They are not criteria against which every decision should be judged. Decisions should play an active role in guiding development towards sustainable solutions but in doing so should take local circumstances into account	9
At the heart of the Framework is a presumption in favour of sustainable development.	10

<i>The presumption in favour of sustainable development</i>	<i>Paragraph</i>
Decisions should apply a presumption in favour of sustainable development. For decision-taking this means: • approving development proposals that accord with an up-to-date development plan without delay;	11

<i>The presumption in favour of sustainable development</i>	<i>Paragraph</i>
LPAs should approach decisions in a positive and creative way. They should use the full range of planning tools available... and work proactively with applicants to secure development that will improve economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible	38

<i>Building a strong, competitive economy</i>	<i>Paragraph</i>
Planning decisions should help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.	81
Planning policies should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices, and to enable a rapid response to changes in economic conditions.	82

<i>Ensuring the vitality of town centres</i>	<i>Paragraph</i>
Planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation	86

Promoting sustainable transport	Paragraph
In assessing applications, it should be ensured that appropriate opportunities to promote sustainable transport modes have been taken up, given the type of location and development; safe and suitable access to the site can be achieved for all users; any significant impact from the development on the transport can be cost effectively be mitigated.	110

Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.	111
Within the above context, applications should give priority to pedestrian and cycle movements; where possible facilitate access to public transport, address the needs of people with disabilities, creates places that are safe, secure and attractive, responding to local character and design standards	112

Making Effective Use of Land	Paragraph
Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions	119

Achieving well-designed places	Paragraph
The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities	126
Planning decisions should ensure that developments:- a) function well and add to the overall quality of the development not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape, while not preventing or discouraging appropriate.. change; d) establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development) f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users	130
Significant weight should be given to development reflects local design policies and government guidance on design.	130

Meeting the challenge of Climate change, flooding and coastal change	Paragraph
The planning system should support the transition to a low carbon future in a changing climate... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions; minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure	152
When determining planning applications for renewable and low carbon development, local planning authorities should: ... recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; approve the application if its impacts are (or can be made) acceptable	158
Conserving and Enhancing the Historic Environment	Paragraph
Where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits including, where appropriate, securing its optimum viable use.	191

Development Plan

5.2 The Development Plan comprises the 'saved' policies of the Eastleigh Borough Local Plan Review (2001-2011). The most relevant being:

Policy	Description
29.ES	<i>Industrial or commercial development which would result in any noise-sensitive premises being subject to a loss of amenity by means of an excessive increase in noise and/or vibration exposure, will not be permitted.</i>
59.BE	<i>Development proposals which are in accordance with the other policies in this plan will be permitted provided they meet all the following criteria:</i> <i>i. they take full and proper account of the context of the site including the character and appearance of the locality or neighbourhood and are appropriate in mass, scale, materials, layout, density, design and siting, both in themselves and in relation to adjoining buildings, spaces and views, natural features and trees worthy of retention;</i> <i>ii. they make the most efficient use of the land;</i> <i>iii. they incorporate an appropriate mix of dwelling type and land-use where appropriate;</i> <i>iv. they provide a high standard of landscape design and appropriate planting where required. Development should use native plants in landscape schemes to benefit biodiversity. Development adjacent to or within the urban edge must not have an adverse impact on the setting of the settlement in the surrounding countryside;</i> <i>v. they have a satisfactory means of access and layout for vehicles, cyclists and pedestrians including appropriate links to surrounding footpaths, cycleways and public transport services;</i> <i>vi. include, where appropriate, provision for the secure storage of bicycles;</i> <i>vii. they are an appropriate use for the locality and avoid unduly interfering, disturbing or conflicting with adjoining or nearby uses, especially in terms</i>

	of noise, fumes, dust, overlooking, loss of daylight, loss of outlook, vibration, or from floodlighting or security lighting; viii. they make adequate provision for the storage and collection of refuse and where appropriate include facilities for the collection of recyclable materials; ix. they include, where appropriate, measures which provide shade and protection from the sun; and x. new development should reduce the potential for criminal activity and anti-social behaviour by the use of appropriate design.
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100.T	<i>Development which accords with other relevant policies of this Plan will be permitted provided it meets all the following criteria:</i> <i>i. it is, or could be well served by public transport, cycling and walking;</i> <i>ii. it includes measures that minimize its impact on the existing transport network;</i> <i>iii. that where a large number of journeys are likely to be generated, the development is located to minimize travel demand and provide a choice of transport mode; and</i> <i>iv. that where appropriate a Transport Assessment in accordance with the thresholds set out in Table B of the Hampshire Parking Strategy and Standards is included with the proposals.</i>
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133TC	Further development for retail and town centre uses or other community services will be permitted in the identified district centres, village and local centres and neighbourhood parades, as shown on the proposals map provided it meets all the following criteria: i. does not undermine the commercial coherence of the existing centre; ii. is not of a format or scale which would increase distances travelled or which would undermine the role of another centre; iii. provides a continuous visible retail frontage, which avoids
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	creating blank frontages; iv. shows that all storeys are designed for active use such as housing or office use v. enhances and adds vitality to the centre, by providing a varied and interesting design and conforms to Policy 59.BE; and vi. enhances community safety.
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142.TC	Proposals for the development of new A3, A4 or A5 premises or the change of use of existing premises to such a use will be permitted provided they meet all the following criteria: i. there are no residential units or other odour-sensitive premises which could be detrimentally affected by the proposal due to their close proximity and/or local conditions; ii. where appropriate, the proposal makes adequate and acceptable provision for neutralising odours and controlling noise; and iii. the proposal should make adequate provision for the disposal, storage and collection of waste. A5 use, will be permitted in the local parades/ village centres identified on the proposals map provided that no more than 35% of the total shopping frontage length of the centre would be given over to non A1 retail uses as a result.
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169LB	Planning applications for new buildings, and alterations and extensions to existing buildings, within or affecting the setting of, Conservation Areas, will be permitted, provided all the following criteria are met: (i) the proposal preserves or enhances the character or appearance of the Conservation Area or its setting; (ii) any new building or extension does not detract from the character of the area and where appropriate retains the existing street building line and the rhythm of the street-scene; (iii) the mass, materials and form of the building and associated landscape features are in scale and harmony with the existing and adjoining buildings and the area as a whole and the proportions of its parts relate well to each other, to the existing building and to
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	adjoining buildings; (iv) architectural details on buildings of value are retained; (v) with regard to retail premises, a high standard of shop front design and signing, relating sympathetically to the character of the building and the surrounding area, is required; (vi) the materials to be used are appropriate to and in sympathy with the existing buildings and the particular character of the area; and (vii) they do not generate excessive traffic, car parking, noise or cause detriment to the character of the local environment. Existing inappropriate uses will not be allowed to expand or intensify and the Borough Council may encourage their relocation if serious loss of amenity is occurring
175LB	Development which would have a detrimental impact on a building of local importance or its setting will not be permitted

5.3 The Eastleigh Borough Local Plan 2016-2036 is nearing adoption and therefore has almost the status of an adopted plan. The following policies are identified as relevant:-

- Policy S1, Delivering Sustainable Development
- Policy S2 Approach to new development
- Policy DM1 General Criteria for new development
- Policy DM3 Adaption to climate change
- Policy DM8 Pollution
- Policy DM12 Heritage Assets
- Policy DM13 General Development Criteria – transport
- Policy DM14 Parking
- Policy DM22 Changes of use in retail frontages

6.0 RATIONALE FOR THE DEVELOPMENT

Background

- 6.1 The Pandemic highlighted how small and tight the present kitchen is. Working in a confined space has meant the staff could not socially distance from each other in the kitchen or find space to work in bubbles or in socially distanced areas. The Pandemic has also led to a general staffing crisis in the hospitality industry. The job demands long unsociable hours with poorer working environments when compared to employment in an air-conditioned office, showroom, shop etc.
- 6.2 The additional space will help create a better working environment, the opportunity to train and retain staff and provide better storage space allowing for increased efficiencies, more purchasing power, and reduced deliveries. These benefits will be discussed later in more detail.

Introduction

- 6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (as amended) require applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Where there are other material considerations, the development plan should be the starting point and other material

considerations should be weighed in the planning balance in reaching a decision. In other words, the system is designed such that it can be applied flexibly where policy conflict arises if those material considerations are sufficient to override policy.

- 6.4 One such material consideration is the National Planning Policy Framework (The Framework). This mentions that good planning is a positive and proactive process and makes clear that decision makers should not be rigid in their approach to considering applications.

Principle

- 6.5 Planning policy 133 TC of the LP and DM21 support retail and town centres in principle. In addition, policy 142TC is specifically targeted at what were Classes A3 and A5 uses (now Class E and sui generis). It allows for such uses provided that residential units are not affected by odour, adequate measures are in place to control odour and noise and the proposal makes adequate provision for the storage and collection of waste. Therefore, in principle there is no objection to the proposal. The NPPF also supports uses that strengthen the town centre. It is noted that there is no equivalent policy in the emerging local plan which relates to frontage development only. Policy S4 however promotes business growth.

Effect on Street Scene

- 6.6 There would be little outward manifestation of the proposal since most of the changes required to facilitate the proposal are indoors. Nevertheless, good design is more than just aesthetics it is also about how a place or building functions over the lifetime of the development - See para 130 of the NPPF. The enlargement of the kitchen which provides a better functioning layout and improves the working conditions for staff and trainees is of good design.
- 6.7 Turning to the external changes, there are two proposed. The first is the installation of a roller shutter door in lieu of a window. This would enable the business to receive more easily the delivery of goods that can be quickly unloaded and put in the appropriate designated storage areas. The roller shutter door being flush and located on the side of the entrance of the service yard, close to the yard itself, and further away from the road, means that its presence will be visually unassuming in the wider view of the building in the public domain. Nor would it look out of place being at the working end of the building and of an honest functional design.
- 6.8 The second change would be the installation of the two flues. The design is functional and serves its purpose. There is already a flue visible on the adjacent building nearest Winchester Road. There are also flues visible on top of the existing premises and some visible in the service yard. The proposed flues would be set back further into the site and so would be much less prominent than the nearest flue

adjacent to the road. Having regard to the location of the proposed flues it is considered that these would have minimal impact on the street scene.

Impact on Designated Heritage Assets

- 6.9 The premises fall within Botley Conservation Area. The Conservation Area Appraisal encourages the use of rear servicing for shops to The Square. By installing a delivery door and flues at the rear, the proposal meets this objective. In terms of impact on the Conservation Area, the flues would be seen in the context of other flues most of which are more prominently positioned. And, as they are set further back from the road than the other more prominent flues and at the working end of the building, it is considered that they would have a neutral impact. In the alternative, if the impact was less than substantial the benefits of the proposal as a whole would override concerns about impact. As to the delivery door, this small change has an inconsequential effect on the Conservation Area where there is only a glimpsed narrow view from the public domain and seen against busy facades.
- 6.10 As to the effect of the development on the setting of the listed buildings, by virtue of their position set in and amongst other buildings and on busy thoroughfares the settings are narrowly confined. The position of the face of the building to which the external alterations would be made is away from the key viewpoints of the listed buildings and outside of their sphere of influence and contribution to the visual

amenity of the area. Consequently, it is determined that the proposed change to the building would not harm the settings of the listed buildings.

Effect on residential amenities

A: Noise

- 6.11 The premises would operate in the same manner as presently. The restaurant is open 6 days a week between 5pm-10 pm Sunday and Tuesday to Thursday and 5pm-10.30pm Friday and Saturday but preparation in the kitchen begins Midday onwards. Therefore, the kitchen operates during social hours, so its operations are unlikely to impact residential amenities.
- 6.12 In any event, the site lies in the High Street in a busy location on the high street where there are higher ambient noise levels. It is considered that the extension of an existing kitchen is unlikely to materially alter the noise generated by the business. In relation to the flats above if required sound insulation can be installed.
- 6.13 The noise assessment shows that the noise from the extractor plant will not harm the neighbours' amenities.

B: Odour

- 6.14 Cooking odour can be detected in the yard because of where the flues are positioned and probably because they are not using the most up-to-date technology to remove odour. The proposed flue extractors will use trioxygen to oxidise and sterilise cooking odours so the flues are unlikely to cause a nuisance to amenities.

Impact on the Local Road Network

- 6.15 The site lies in a sustainable location in the centre of Botley with ready access to bus and rail services.
- 6.16 The site benefits from on-site car parking and public car parking spaces directly in front of the site and nearby.
- 6.17 It is considered that the kitchen extension is unlikely to change customer demand. With the additional storage space, it is expected that there will be a small reduction in deliveries as goods can be bought in greater bulk.
- 6.18 Thus, overall, there will be a minor benefit to traffic generation as a result of the proposal

Benefits

- 6.19 Aside from the small benefit of a reduction in supply deliveries, the proposal will support an existing business, provide a better working environment, improve job retention, allow space for training of staff, and relocation of waste bins to the rear of the parking area which will improve the character of the Conservation Area.
- 6.20 The additional kitchen space will enable the business to create a better and safer working environment with staff more spaced out. The bigger workspace will allow staff to have their own working areas which in turn will make recruitment of staff easier and so too, with improved work conditions, job retention. The business considers that creating the best environment in the workplace creates a better team, this improves productivity and makes it a more enjoyable place to work.
- 6.21 The business has also learnt that regular candidates would prefer some automatisisation or assistance with their job. A pass-through washing station would help ease the pressure of a kitchen porter job, thus aiding job retention. Furthermore, having a Rational oven or cooking station oven would help the business to function when it is low on employee numbers besides allowing training of "key skills"
- 6.22 Furthermore, as a business it has always been aware of its green credentials and the installation of modern up-to-date equipment which is energy and water efficient would help to reduce its carbon footprint.

For example, the cold store will be more energy efficient than the current upright fridges that are quite old and dated.

- 6.23 One major issue currently affecting the food industry is allergies and intolerances. There is an obligation on businesses to reduce the risk of cross commination but also a good business will seek to provide a greater selection of meals so that customers with allergies and food intolerances are treated equally so that they too can experience the delights of the meal despite their allergies. A bigger workable kitchen will help the business achieve this by having more space for storage, cooking, and preparation work.
- 6.24 Due to the pandemic and its knock-on effect the business has noticed its suppliers have increased minimum order amounts. This has resulted in the business being forced to purchase more items than needed, governed by suppliers reducing the delivery schedules due to their increased costs and reduced staff numbers. Having the opportunity to have more storage space will help the business balance this with its suppliers.
- 6.25 The new storage space will allow the business to create a much better layout of storage for dry foods and ingredients as well as takeaway containers etc. This will help it to create a central storage area implementing better use of stock rotation.
- 6.26 The business considers training to be an essential component of its 40 years of success. Creating a new cooking area will be a key factor to carry forward the business. The enhanced cooking area and

facilities will allow it to train staff and give opportunities to people from the local job market. The secret to cooking Indian food is in the preparation work and mixing of spices and this will be easier with an enhanced space. The business will benefit from being able to employ younger inexperienced candidates and training them on the job without disruption to everyday cooking for evening service.

- 6.27 Once the works are complete the waste bins will be relocated to the back of the parking area which will improve the view from the road and in turn enhance the Conservation Area.

Conclusion

- 6.28 There is no planning policy objection in principle to the proposal. Indeed, the NPPF should support the role of town centres by taking a positive approach to their growth, management and adaptation, The proposal will help contribute to a thriving business by providing a larger and safe working space, efficiencies of scale, space for training and storage, investment in new energy and water efficient kitchenware and appliances, retention of staff all of which contribute to the prosperity of the business and in turn the local economy. The proposed external alterations and extended use will not materially alter the character and appearance of the heritage assets or be harmful to neighbour residential amenities. The site is sustainably located, and the expanded kitchen provides social and economic benefits which contribute to its sustainability. Therefore the presumption in favour of sustainable development should be applied.