

PLANNING REF: 260463

PROPERTY ADDRESS: Charwood Road, RG40 1RY

SUBMITTED BY: Mr Ian Harris

DATE SUBMITTED: 18/06/2026

COMMENTS:

As the consultation period for application 260463 concludes today, I am providing this final summary of my representations. These points must be formally recorded and addressed in any officer report regarding this application.

Given the ongoing investigations and the cross-service nature of this matter, I formally require that the Council does not determine this application until the following processes have concluded and their findings have been fully integrated into the planning file:

- Environmental Health Investigation: The structured air quality monitoring data I have submitted to the Council is currently being assessed by the Environmental Health team. A decision made prior to the completion of this investigation would be premature, legally unsound, and based on incomplete evidence regarding particulate ingress.
- Resolution of Substantive Matters (Ref: CR/7946): I have a formal complaint currently addressing the substantive handling of this matter, including the Council's advice on the "mixed-use" classification, the Public Sector Equality Duty, health impacts, and the failure of coordinated oversight. A planning decision made before these service-wide issues are resolved would be premature and ignores the integrated nature of the Council's statutory responsibilities.
- Resolution of Multi-Agency Concern/Safeguarding: I have formally requested that the Council treat this matter as a multi-agency concern under the Care Act 2014 to promote my wellbeing and safety within my home. It is imperative that the planning assessment explicitly accounts for this wellbeing impact.

I also require your assessment to explicitly address the following material considerations:

- Discrepancy in Use Class: There is a further contradiction between the Council's enforcement records, which identifies a sole-takeaway, and then advises the applicant to submit a "mixed-use" application. I contend that the assessment must be based on the actual, intensive operational reality of a takeaway, which fundamentally impacts residential amenity, rather than an administrative "mixed-use" label.

- **Cumulative Environmental Impact:** The evidence of particulate ingress must be considered alongside the site's 2018 history of confirmed statutory nuisance and the 2023 Building Control correspondence regarding the extraction system. These points demonstrate a cumulative, unmitigated impact on residential amenity.
- **Proximity to School and Community Health:** The site is located in proximity to a local school. National and local planning policies specifically seek to restrict the establishment or expansion of hot food takeaways near schools to promote healthy lifestyles and mitigate childhood obesity, often utilizing the nationally recognized proximity benchmark for healthy communities. Regardless of the "mixed-use" designation, the operational reality of this takeaway service, a core element of the application, directly conflicts with these public health objectives and must be assessed against this specific policy restriction.
- **Legal Duties (PSED, Human Rights & Precautionary Principle):** [REDACTED]
[REDACTED] Under the Public Sector Equality Duty, Article 8 of the Human Rights Act (Right to respect for private life and home), and the Precautionary Principle, I formally require the Council to document how it has [REDACTED] addressed the scientific uncertainty regarding both the existing extraction system and any proposed future installation.

I request to be kept informed of the progress of the officer report and given an opportunity to review and comment on any proposed technical mitigation plans before they are finalized. This need for rigour is underscored by the Council's recent admission of procedural failings (Ref: CR/8156). While that matter related to a different service area, it highlights a pattern of ineffective inter-departmental communication, demonstrating why higher-than-usual levels of scrutiny are required to ensure transparency in this case. I trust that any subsequent officer report will rely on concrete, verifiable data rather than subjective professional judgment, particularly where such judgments conflict with the site's documented history of statutory nuisance [REDACTED].

I reiterate my demand that the officer report provides a clear, evidence-based justification for how these factors have been weighed, and why a determination should be delayed until the aforementioned environmental and governance processes are complete.