

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01798/FP	Change of use, Class E to Sui Generis (R), food takeaway - alterations to shopfront, installation of canopy and ventilation system.	Lunchmate The Colonnade Station Place Letchworth Garden City Hertfordshire SG6 3AQ

Submitted Plan Nos

Location Plan GGB-Site Plan ID.00.1.01 ID.00.1.02 ID.00.2.01 003 existing front elevation ID.00.2.02
004 existing side elevation ID.00.2.01 003 proposed front elevation ID.00.2.02 004 proposed side
elevation

1.0 Policies

SP3	Employment
SP4	Town Centres, Local Centres, Community Shop
D3	Protecting living conditions
T2	Parking
HE1	Designated heritage assets

2.0 Site History

2.1 None recent.

3.0 Representations

3.1 Site and press notices were published – no comments received.

3.2 Neighbour consultation was carried out – no comments received.

3.3 Consultees:

- ☐ Letchworth Garden City Heritage Foundation – no comment received.
- ☐ Environmental Health – no objection following submission of further details.
- ☐ Waste And Recycling Services Manager – no comment received.
- ☐ Area Highway Development Control Manager – no objection.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The application site is located on the Colonnade in Letchworth Garden City. It is sited next to The Platform Pub to the east and Natwest Bank to the west. The property has a corner frontage

facing both north and west. The unit extends to the rear with a kitchen and store area at ground floor and office at first with access onto the flat roof above the kitchen. The rear of The Platform Pub extends beyond the rear of the application unit with ducting and other plant associated with the pub on the roof and side elevations.

- 4.1.2 The rear of the property faces onto a service/access area serving several commercial properties in the area. Many of the neighbouring properties have extensive plant and ducting.
- 4.1.3 The Unit is currently vacant. It was formerly a sandwich shop (no hot food) with the use class E.
- 4.1.4 The site is within the town centre boundary with a mix of uses nearby including retail, commercial, office and residential. The site does not fall within the town centre primary or secondary frontages.

4.2 Proposal

- 4.2.1 Consent is sought for: *“Change of use, Class E to Sui Generis (R), food takeaway - alterations to shopfront, installation of canopy and ventilation system.”*
- 4.2.2 It is proposed to install a new ventilation system to the premises in the kitchen area. Ducting will extend through the existing rooflight opening and extend along the roof to the rear of the property. The ducting will not exceed 800mm in height above the roof and will be constructed of galvanized steel.
- 4.2.3 The proposed alterations to the shopfront include updating the signage at the premises. A black painted banner with orange acrylic lettering is proposed.
- 4.2.4 The applicant has confirmed that there is no internal illumination of the proposed signage and no external seating area.

4.3 Key Issues

- 4.3.1 The key issues for consideration are:
 - ☐ The principle of proposed change of use and development.
 - ☐ The impact of the proposal on the character and appearance of the Conservation Area.
 - ☐ Impact on amenity.
 - ☐ Highways and Parking.
 - ☐ The impact of the proposed development on the environment.

Principle of Proposed Change of Use and Development

- 4.3.2 The proposed change of use would not result in the loss of a retail unit in the town centre location. The proposal would keep the unit in food provision use, adding in the element of hot food take away. The unit is currently vacant and the proposed change of use will bring the unit back into active operation.
- 4.3.3 Local Plan policies SP3 and SP4 support new and existing businesses in the town centre. Policy SP4 states that the Council is committed to protecting the vitality and viability of all centres and supports a range of uses in town centre locations including takeaways.

- 4.3.4 The proposed change of use is not a significant change from the existing use, will bring a vacant premises back into use and is an appropriate use for a town centre location. The principle of the proposed change of use is acceptable and complies with Local Plan policies SP3 and SP4 and the provisions of the NPPF for protecting the vitality and viability of town centres.

The Impact of the Proposal on the Character and Appearance of the Conservation Area

- 4.3.5 Consideration needs to be given to the impact of the proposed change of use and works to the heritage asset that is the Conservation Area.
- 4.3.6 National policy as set out in the NPPF provides clear guidance on assessing the impact of proposals on heritage assets. This is reflected in Local Plan Policy HE1. The proposed change of use is not a significant change from the existing situation and will not cause unacceptable harm to the character and appearance of the Conservation Area. The proposed ducting will not be visible from the main street and will not cause harm to the character and appearance of the streetscene. The proposed alterations to the paintwork of the shop banner fall within the parameters for deemed advertisement consent and therefore do not form part of this assessment of the proposal.
- 4.3.7 Overall, no unacceptable harm will be caused to the heritage asset that is the Conservation Area and the proposal therefore meets the requirements of the NPPF and Local Plan policy HE1.

Impact on Amenity

- 4.3.8 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the NPPF.
- 4.3.9 Following submission of further information by the applicant relevant to odour and noise management, The Environmental Health Officer made the following comments when consulted on the proposal:

“Given the location and proposals I have no objection to the application subject to the extract system being installed in accordance with the submitted details.

Additionally, the application has stipulated hours that the premises is to be open for business (1200 hours to 2000 hours Monday to Saturday). I recommend that these hours are secured via a suitably worded condition.”

- 4.3.10 Any increase in noise or odour at the premises arising from the proposed change of use can be appropriately mitigated against by the installation of the proposed ventilation system which is supported by the Environmental Health Officer. The proposed use is suitable in a town centre location with a mix of uses including the adjacent pub.
- 4.3.11 It is reasonable to control the hours of opening by condition.
- 4.3.12 Given the above, it is considered that the proposed change of use will not result in any unacceptable harm to neighbouring occupiers and therefore complies with Policy D3 of the Local Plan and the aims of the NPPF.

Highways and Parking

- 4.3.13 The application site is in a town centre location with good access to public transport. As a town centre location, there is no requirement for customer parking.
- 4.3.14 No objection from Highways. The development is therefore acceptable in terms of highways and parking. It is noted that the Highways response refers to tables and chairs on the pavement. There are no tables and chairs proposed.

Environmental Implications

- 4.3.15 The proposed development is relatively small in scale and would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Section 14 of the NPPF.

Biodiversity Net Gain

- 4.3.16 This development is not subject to the statutory Biodiversity Gain Plan condition because it falls below the threshold and is therefore exempt in respect of the biodiversity gain condition, under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exemptdevelopments>).

4.4 Conclusion

- 4.4.1 The proposed development is considered acceptable and to comply with the policies set out in the Local Plan and the National Planning Policy Framework. Grant conditional permission.

4.5 Alternative Options

- 4.5.1 None applicable.

4.6 Pre-Commencement Conditions

- 4.6.1 None applicable.

5.0 Recommendation

- 5.1 That planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The opening hours for the use hereby approved are to be between the hours of 12.00 and 20.00 on Mondays to Saturdays and not at all on Sundays and public holidays.

Reason: The use is located in close proximity to residential properties and the restriction of activity is necessary to ensure that the residents of those properties can continue to expect to enjoy times of reasonable peace and quiet and to comply with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 9 December 2024	