DELEGATED FILE NOTE

CASE OFFICER: ...Anne McDonald.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00606/FP	Change of Use from Class A3 Restaurant/Cafe and B1 (a) and (c) (Office and Light industry) to Class A5 Hot food takeaways	Former Taxi Office Barkway Street Royston Hertfordshire SG8 9EE

Submitted Plan Nos

Location plan

1.0 Policies

LP8	Development in Towns

XD3 Protecting Living Conditions

2.0 Site History

2.1 Planning permission was granted in 2015 for the change of use to either B1 (a) and (c) or A3 use. Of relevance is application 18/00609/FP which is for the change of use of the adjoining closed public toilets into A5 use.

3.0 Representations

3.1 Site and press notices were posted. All consultations expired on 19/04/08. No responses have been received at the time of writing.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The application site comprises the closed / vacant taxi office positioned within an area hardstanding to the west side of the bus station area.

4.2 Proposal

4.2.1 The application is seeking full planning permission for the change of use of the building into an A5 takeaway along with the adjoining closed public toilets, which is the subject of application 18/00609/FP. The application is outline only, seeking a determination of the principle only. Any future works regarding shop frontage and kitchen vents and ductworks will require a separate planning application.

4.3 Key Issues

- I note that this is a Council application. However, as no objections to it have been received the application can be determined under delegated powers.
- I have no objection to this application. The building is vacant and is located just to the north of the town centre area of the town, close to public houses. There are no residential properties within close proximity to be disturbed from cooking smells or late night noise from people getting a takeaway ‘on their way home’. Furthermore, as the building is positioned on the edge of a car park and bus station area, there is space for a car to pull in for those wishing to collect from the unit.
- As the user of the A5 use is not known at this stage, I consider that it is appropriate to impose standard hours on the unit to prevent late night disturbance in the locality.

4.4 Conclusion

4.4.1 No objection. Grant conditional planning permission.

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 A5 use hereby granted can only trade between the hours of 11.00AM to 12 midnight on Mondays - Saturdays and from 11.00AM to 10.30PM on Sundays and Public Holidays.

   Reason: In the interests of local amenity.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 15 May 2018	