
APPLICATION DETAILS

Application No:	20/0257/COU
Location:	283 Linthorpe Road Middlesbrough
Proposal:	Change of use of ground floor from A1 (Retail) to A3/A5 (Restaurant/Hot Food Takeaway)
Applicant:	Dr Mubashar Ahmad
Agent:	Steve Dodds, sjd Architects Ltd
Ward:	Newport
Recommendation:	Approve with Conditions

SUMMARY

Planning permission is sought to change the use of the premises from a retail use (A1) to an A3/A5 (restaurant/hot food takeaway) and for the installation of a new shop front and box grill extraction flue on the rear elevation. The application site is identified as being within the Linthorpe Road South area of the wider town centre, where there is an existing mix of retail, restaurants, drinking establishments and professional services.

The main considerations relating to this proposal are the principle of the development, the impact on the character and appearance of the area, the impact on the amenity of the nearby residents, highways and other matters.

Three objections have been received, which in summary relate to there being too many hot food takeaways along Linthorpe Road, litter/pest issues, anti-social behaviour, odour, noise, health impacts, parking problems, loss of active frontage and that work commenced without planning permission.

Whilst the concerns raised are acknowledged, it is considered that the principle of the development accords with the local plan policies for this area of the town centre. The proposed use is considered not to be harmful to the vitality and viability of the town centre or this section of Linthorpe Road and would contribute to its role as a bar and café quarter.

The proposed change of use will not materially alter the external appearance of the building and is therefore considered not to have a detrimental impact on the character of the area or the amenity of nearby residents.

The proposed change of use is in accordance with both local and national planning policies and the officer recommendation is to approve subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is 283 Linthorpe Road a commercial unit located within a row of terraced properties. The site is located within the Linthorpe South area of the town centre, as identified by the Local Plan. The building is a mid-terraced property with a two-storey off-shoot and enclosed yard to the rear. The building is vacant with the ground floor unit being for retail and the upper floors being storage.

The premises on both sides of the unit are A1 retail units with a mobile phone shop to the north and a barbers to the south. Residential flats are located on the upper floors of the adjacent premises on either side of the application site. To the rear is an access alleyway and across the alleyway to the west are residential terraces at Tennyson Street. Directly opposite the property is the junction of Linthorpe Road and Granville Road.

The proposal is for the change of use of the ground floor retail unit to a restaurant / hot food takeaway to include the installation of a new shop front and a box grill flue on the rear elevation. The design of the new shop front will be the same design as the existing. The opening hours for the unit will be between 10am and 11pm every day including bank holidays. Internally works have commenced on stripping out the unit.

The applicant has submitted a Design and Access Statement, Ducting Specification, Extraction details and Odour control plans in support of the application.

A separate application was submitted for the change of use of the two upper floors of the building into two student flats, which has recently been approved, subject to conditions requiring a noise and traffic assessment (application 20/0256/FUL).

PLANNING HISTORY

20/0256/FUL – Change of use of the first and second floors to 2no one bedroom student flats (sui generis), approved 7th August 2020

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)

- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

DC1 - General Development
 CS4 - Sustainable Development
 CS5 - Design
 CS13 - Town Centres etc Strategy
 REG20 - Principal Use Sectors
 REG24 - The Southern Sector
 UDSPD - Urban Design SPD

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

Middlesbrough Council Strategic Policy (in summary)

The Linthorpe Road South area is within the Town Centre and offers a mix of uses with a strong retail presence. An A3 use in this area accords with policy. An annual survey conducted March 2019 shows the Town Centre currently has a lower than 10% proportion of hot food takeaways, in addition the unit is not adjacent to an existing A5 use. The change of use to hot food take away is in accordance with policy; and, as a main town centre use, is appropriate in this location.

Middlesbrough Council Environmental Protection

No objection subject to conditions relating to filtration and odour control, fixed plant and machinery, ventilation and fume extraction, noise assessment, restriction on opening hours to between 10 am and 11pm, delivery hours restrictions and refuse collection hours.

Middlesbrough Council Waste Officer

No comments

Middlesbrough Council Highway Officers

The proposed change of use will not have a material impact in demand for car parking, nor will it in terms of the level of traffic generation when considering the existing use of the property, which could continue without the need for further planning consent. As a result, we have no objections to the change of use.

Public Responses

Number of original neighbour consultations	19
Total numbers of comments received	3
Total number of objections	3
Total number of support	0
Total number of representations	0

Nearby neighbours and businesses were notified of the application and the following comments were received:

- John Cooper, 303a Linthorpe Road
- Councillors of the adjacent Central ward (Linda Lewis and Matthew Storey)

Objections can be summarised as follows:-

- Too many hot food takeaways along this stretch of Linthorpe Road
- 189-191 Linthorpe Road is to be turned into 2 units wanting A5 use
- 283 Linthorpe Road requested change from A1 retail to A5 hot food takeaway
- Granting the A5 licences would mean more rubbish for area care to address
- Rear alleyway rubbish
- Pest Control issues
- Anti-social behaviour/crime increase
- Odour impacts
- Health issues and impact on the NHS
- Health impact on local schools, Middlesbrough has 40 junk food outlets per school compared to national average of 25 per school
- No Health Impact Assessment provided /lack of information provided with the application.
- Need to provide diversity in Middlesbrough for people to come and cannot be achieved if the town is a takeaway town.
- Works started without planning permission
- Parking problems

- Loss of active frontage

PLANNING CONSIDERATION AND ASSESSMENT

1. The main considerations with this change of use application are the principle of the development, the impacts on the character and appearance of the street scene, the impacts on the amenity of the neighbouring premises and highway safety.

Policy

2. The National Planning Policy Framework (NPPF) was most recently revised and published by the Government in February 2019, and is a material consideration. The NPPF states that, where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para. 12). In determining planning applications, due weight should be given to local planning policies in accordance with their consistency with the revised Framework, with greater weight given to those policies which are closer to those in the Framework (para 213). As a starting point, the proposal should be assessed against policies set out in the Development Plan. Under national planning policy hot food takeaways are classified as a main town centre use that should be located within the hierarchy of centres.
3. Policies DC1 and CS5 requires all development to provide a high quality of design in terms of layout and to contribute to the character of the area, whilst considering the impact on the amenities of the occupiers of the nearby premises.
4. The site is located within the Linthorpe Road South area of the town centre and policies CS13 and REG 20 and REG 24 apply. These policies aim to encourage retail, commercial, leisure and cultural development within the town centre of an appropriate style and scale commensurate with its current scale and function. Policy REG 24 identifies retail (A1), professional services (A2) and café/restaurants (A3) uses as being appropriate and complimentary to the main retail uses in the town centre. With planning permission for A4 (Drinking establishments) and A5 (Hot food takeaways) being considered suitable where they are of a high quality and are considered to support the role of Linthorpe Road area as a bar and café quarter.
5. The Council's Interim Hot Food Takeaway Policy was approved by the council in March 2020. The Interim Policy is not an adopted policy within the suite of documents which support the current local plan and work is ongoing on the new local plan. As such the Interim Policy can only be given limited weight, but is nevertheless relevant. The Interim Policy recognises the associated negative external impact hot food takeaway uses can result in, in terms of noise, odours, traffic/parking and litter and confirms that hot food takeaways should not be located outside of a defined centre.
6. The Interim Hot Food takeaway Policy recognises that hot food takeaways tend to provide closed frontages during the day due to the use forming part of the night-time economy and as such the hot food takeaways can have a negative impact on the primary function, vitality and viability of designated centres. The Interim Policy aims to manage the location of hot food takeaways in certain locations by setting out that hot food takeaways will be permitted where;
 - the total proportion of the A5 uses within the centre would not exceed 10%,
 - the use would result in no more than 2 adjacent hot food takeaways or;
 - be within a primary shopping frontage area; and
 - the use should not be located within 400m walking distance of a secondary school.

7. Concerns were raised that the application was not accompanied by a Health Impact Assessment. The interim policy approved in July required submission of a Health Impact Assessment (HIA) alongside any planning applications for hot food takeaways, however this has since been removed following a decision from executive in March 2020, based partly on the difficulties around evidencing harm of individual takeaways. The lack of a HIA is therefore immaterial to the consideration of this proposal.

Principle

8. The application site is located within the Linthorpe South area of the designated Town Centre boundary. Policy CS13 of the Local Plan encourages the use of cafes/restaurants (A3 uses) which are complimentary to the retail sector and hot food takeaway (A5 uses) which are high quality and support the role of Linthorpe Road as a bar and café quarter. National Planning Policy classes A5 uses as main town centre use which should be located within our town centres.
9. The Interim Hot Food Takeaway Policy determines that proposals will be permitted for hot food takeaways where the A5 use would not;
 - exceed 10% of the total number of A5 units within the centre,
 - result in more than 2 adjacent hot food takeaways or
 - be within a primary shopping frontage area; and
 - should not be located within 400m walking distance of a secondary school.
10. According to the most recent monitoring data (March 2019), the town centre has 4% HFTA. It has not been possible to update this information in March 2020 using the established methods due to COVID-19 lockdown restrictions; however, a desktop analysis in August 2020 suggests that a maximum of 5.2% of units could be HFTA (based on planning approvals in the meantime). As such, this application would not result in the proportion exceeding 10%.
11. The application site is not adjacent to existing A5 uses so would not result in more than 2 adjacent A5 uses in the street and is located more than 400 metres from a secondary school, therefore being compliant with the Interim Hot Food Takeaway Policy.
12. Concerns have been raised regarding the total number of hot food takeaways in this immediate area and the fact a change of use has been granted for two A5 uses at 189-191 Linthorpe Road. The result of the A5 uses is a limitation on the diversification of uses within the town centre. Planning permission was not required for the sub-division of 189-191 Linthorpe Road. This premises was an existing A5 use in the town centre and the sub-division of the unit into two units did not require planning permission and could be completed under permitted development. The only permission required for the unit was the external alteration to the shop frontage and this alteration has not yet been undertaken.
13. In terms of the number of hot food takeaway applications along Linthorpe Road since the 2019 survey, there have been 3 applications approved. Two applications were within the town centre boundary at 197 Linthorpe Road and 91-93 Linthorpe Road and the third application was outside the town centre boundary at 462 Linthorpe Road.
14. Within this immediate block of terraces on this western side of Linthorpe Road there are 22 commercial ground floor units (257-305/307 Linthorpe Road). Currently there are 5 hot food takeaways in this row, which equates to 22 percent of the total number of commercial units in this terrace with the majority of the remainder of the commercial units in this block having A1 retail use (64% excluding the application site). The existing

level of hot food takeaways in this block of terraced properties and the fact the overall level of A5 uses within the town centre is below 10% of the total uses and the change of use would not result in 2 adjacent A5 uses means the proposal is considered to accord with policy.

15. The proposed change of use would introduce an additional restaurant/hot food takeaway use within this section of Linthorpe Road South. The existing character of this section of Linthorpe Road South is still predominantly non-A5 uses with the majority being A1 retail uses. The limited number of existing A5 uses within the immediate area, means this proposal would not result in the number of A5 uses dominating the overall character of this section of Linthorpe Road South.
16. In view of the above, with Linthorpe Road South being considered within the Local Plan as a bar and café quarter and being important in terms of the night time economy, it is considered the loss of an A1 retail unit in this location to an A3/A5 use would not have a considerable effect on the vitality and viability of the area. The proposal is considered to be in accordance with Policies CS13, REG 20 and REG24 and the Interim Hot Food Takeaway Policy and is therefore considered to be acceptable.

Health

17. Concerns have been raised that no Health Impact Assessment has been provided and the proposed change of use is not supporting the health and well-being of the community with a resulting impact on the NHS, the aim should be to reduce the number of hot food takeaways.
18. There is no validation requirement for the submission of a Health Impact Assessment to consider the change of use application for a hot food takeaway use. The Interim Policy on Hot Food takeaways was introduced to assist in ensuring that hot food takeaways were located in areas identified within the National and Local Plans as suitable for the use, namely town centres. The town centres are considered to be locations where hot food takeaways can contribute to the overall mix of provision within the centres, with the Interim policy restricting the overall number to a reasonable limit of 10%. The health implications of hot food takeaways is reflected within the Interim Policy by restricting the permission of hot food takeaways within 400 metres of a secondary school.
19. The application site is within the defined town centre, there are no hot food takeaways on either side of the premises, the current percentage of hot food outlets within the town centre is less than 10% and the premises is not within 400 metres of a secondary school. Taking these factors into account, the proposed A5 use is considered to be in accordance with the Interim Policy on Hot Food Takeaways and is considered not to have an undue impact on the health and well-being of the community.

Appearance

20. Policies CS5 and DC1 along with the Middlesbrough Urban Design Guide states that all new development should be of a high quality in terms of layout and contribute to the character of the area.
21. The proposed changes to the ground floor have been kept to a minimum. The proposed new shop front which has been installed is the same modern design as the previous shop frontage and the fume extraction/ ventilation on the rear elevation will be a box grill placed sited within the rear elevation wall. The yard area will include two secure bin stores.
22. Comments have been made regarding the loss of an active frontage along this section of Linthorpe Road through an A3/A5 use. The operating hours for the proposed use

will be between 10am and 11pm everyday which will ensure the unit has an active frontage along the street during the daytime and evening.

23. Given the limited nature of the proposed external alterations to the building, the proposal will not have an undue impact on the character of the area and is considered to be in accordance with policy DC1 (b) and CS5 (c).

Impact

24. Core Policy DC1 requires all new development to consider the potential impact on the amenity of the occupants of the adjacent properties both during and after completion of the development.
25. In relation to hot food takeaways the main concerns relate to the impacts in terms of noise and disturbance from the use. Commercial units are located on either side of the ground floor of the premises at 281 and 285 Linthorpe Road. A residential flat is located on the first floor of the adjoining building at 285 Linthorpe Road with residential properties to the rear along Tennyson Street. The upper floors of the building have recently been granted permission to two residential flats (application 20/0256/FUL), with a condition requiring a noise assessment to be submitted in relation to any potential noise from the nearby commercial units.
26. The Council's Environmental Protection officer has advised that a noise assessment be submitted prior to the use commencing. The assessment should include noise from fixed plant and machinery and deliveries along with any required mitigation measures, to ensure there will be no impact in terms of noise to the neighbouring premises.
27. Concerns have been raised regarding the potential noise impacts to residents during the evening from the proposed A3/A5 use. The applicant has submitted details of the opening hours as between 10 am and 11pm. With the application site being located within the town centre there is an element of existing night time noise, particularly given the mixture of commercial and leisure uses which already exist along this northern end of Linthorpe Road.
28. There will potentially be an increase in the noise levels generated through additional customers utilising the premises and traffic movements. However, given the restriction in opening hours to between 10am and 11pm, which can be secured by condition, the Environmental Protection officers have no objections in terms of noise given the town centre location.
29. The applicant has submitted drawings showing the intended box grill flue on the rear elevation for fume and odour extraction. The proposed box grill on the rear elevation will have no significant impact on the overall appearance of the property. The Environmental Protection officers have advised that specific details of the fume extraction equipment and the odour control measures will need to be submitted to ensure there will be no impact on the neighbouring premises, which will be secured by condition.

Highways

30. Comments have been raised that the proposed use will create parking issues. There is currently no incurtilage parking provision for the existing retail unit to utilise. This section of Linthorpe Road has restrictive meter parking to the front and is considered to be in a highly sustainable location on a main bus route and within walking distance of the bus and train station and several public car parks.

31. The existing A1 retail unit operates with no off street parking and the default position is that this retail unit could still operate on this basis without requiring permission.
32. The Council's Highway Engineers have considered and raised no objections given the current use of the premises and the sustainable location. As such it is considered that the proposal will not have a significant impact on highway safety and accords with the guidance set out in policy DC1 (d).

Waste Storage

33. Concerns have been raised regarding potential waste within the rear alleyway to the premises. The applicant has shown within the submitted plans that waste storage provision will be provided within the rear yard area and will be located within a secure storage area. The waste storage for the commercial waste will be stored separately to the residential waste. The Council's Waste Policy officer has considered the proposal and have no objections.

Other matters

34. Comments have been received with regards to litter and anti-social behaviour. These are not material considerations which can be considered as part of the application.
35. Comments have been received regarding pest control issues. Whilst these comments are noted, the submitted plans have provided adequate details in terms of waste storage provision and should any future issues arise this would be addressed through Environmental Protection legislation.
36. Concerns have been raised that works have started on the change of use without planning permission. The works which have been undertaken on the ground floor are internal works to the internal layout with no further works having been undertaken.

Conclusion

37. The proposal has been considered against national and local policy. It is considered that the proposed use is acceptable in this area of Linthorpe Road South and will not undermine the vitality and viability of the town centre in accordance with policies CS13, REG20 and REG24 and the Interim Hot Food Takeaway Policy. It is considered that the alterations to the shop front and the installation of the box grill on the rear elevation of the building will, due their design and scale have no significant impact on the character and appearance of the area or the amenity of the neighbouring properties and accord with the guidance in policies DC1 (c) and CS5 (c).
38. The conditions on the proposal require a noise and odour assessment and relevant methods of mitigation along with controls on the operating hours of the premises which will ensure there are to be no significant impact on the amenity of the local residents in terms of noise and odour which accords with policies DC1 (c).
39. The proposed change of use is considered to be acceptable for the site and is in keeping with the relevant policies. It is the Development Control view that the proposal will not have a detrimental impact on the amenity of the occupiers of the surrounding properties and will support the vitality and viability of the area whilst having minimal impact on the visual amenity of the street scene.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby approved shall be carried out in complete accordance with the following plans :-

- a. Site location plan drawing 1896-20-100 dated 13th May 2020
- b. Existing plans and elevation drawing 1896-20-101 dated 13th May 2020
- c. Proposed plans and elevation drawing 1896-20-102 REV C dated 13 July 2020

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

3. Noise Assessment

A BS: 4142 noise assessment shall be submitted to and approved in writing by the Local Planning Authority before the use hereby commences. The assessment shall identify noise levels at the site along with the noise which will be generated at the development and its impact upon neighbouring premises. The assessment should identify noise from sources such as deliveries being made and noise from fixed plant and machinery at the development. The assessment should include details of any measures identified to protect neighbouring premises from noise. Any measures identified in the assessment to protect residents from noise generated due to the use of the site should be implemented before the use of the development commences.

Reason: In the interests of the amenity of the neighbouring premises and to accord with Core Strategy Policy DC1.

4. Ventilation and Fume Extraction

Details of a ventilation and fume extraction system suitable for uses within class A3/A5, including a full technical specification by a suitably qualified person, specifying the type of filtration or other fume treatment to be installed and used at the premises in pursuance of this permission shall be submitted to and approved in writing by the local planning authority and shall be installed before the development hereby permitted commences and thereafter shall be retained in full accordance with the approved details. The ventilation and extraction system referred to in this condition shall be operated and maintained in accordance with the manufacturers recommendations including the frequency of replacement filters

Reason: In the interests of the amenity of the neighbouring premises and to accord with Core Strategy Policy DC1.

5. Odour and Particulate Impact Assessment

An odour and particulate impact assessment shall be provided by a competent and suitably experienced, specialist air quality or odour consultant and approved in writing by the local planning authority before first use of the proposed development. The assessment shall identify the impact of cooking odours and grease released to the air from the premises and detail methods to control them to prevent harm to the amenity. The report shall be carried out in accordance with the EMAQ guidance 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' 2018 or an alternative appropriate assessment tool agreed in advance with the Local planning Authority. The

report should include details of the position of internal ventilation extraction canopies, the position and height of the flue outlet and the type of filtration and or odour control units or other fume treatment to be installed. The systems and filtration and odour control units shall be installed and maintained in accordance with the manufacturer's recommendations including the frequency of replacement filters.

Reason: In the interests of the amenity of the neighbouring premises and to accord with Core Strategy Policy DC1.

6. Hours of opening

The hours of opening/use shall be restricted to between the hours of 10:00am and 11:00pm Monday to Sunday unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the amenity of the neighbouring residential premises and to accord with Core Strategy Policy DC1.

7. Delivery/Collection Hours

Deliveries and collections to the rear of the premises including waste collection must be restricted to between the hours of 8 am and 7pm Monday to Saturday and 9.30 am to 6.30 pm Sunday and Bank Holidays.

Reason: In the interests of amenity of residents having regard for policy DC1 of the Local Plan and section 12 of the NPPF

8. Bin Store

The development hereby approved shall not be occupied/brought into use until the refuse/recycling store has been provided in accordance with submitted drawing 1896-20-102 REV C dated 13 July 2020, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Such drawings to show the position, design, materials and finishes thereof. Thereafter the refuse/recycling store shall be retained in perpetuity for the sole purpose of refuse/recycling storage, with the retained bin storage resulting in the A3/A5 use being considered appropriate.

Reason: In the interests of the amenities of residents to ensure a satisfactory form of development having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

REASON FOR APPROVAL

This application is satisfactory in that the change of use from a retail unit to an A3/ A5 restaurant / hot food takeaway use accords with the principles of the National Planning Policy Framework (NPPF) and the local policy requirements (Policy DC1, CS4, CS5, CS13 and REG20 and REG 24 of the Council's Local Development Framework). Where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraph 38 of the NPPF (2018).

In particular, the change of use from a retail unit to an A3/A5 restaurant/hot food takeaway use and alterations to the shop front and external grill box on the rear elevation will not prejudice the character and function of the area and does not significantly affect the amenity of nearby resident, any landscaping or prevent adequate and safe access to the site. The change of use from an A1 retail unit to an A3/A5 Restaurant/Hot food takeaway unit use will be consistent with the existing commercial uses of this location and it will not be detrimental to any adjoining or surrounding properties. The traffic generated, car parking and noise

associated with the change of use will not be of a level likely to result in an unacceptable impact on nearby premises.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations, which would indicate that the development should be refused

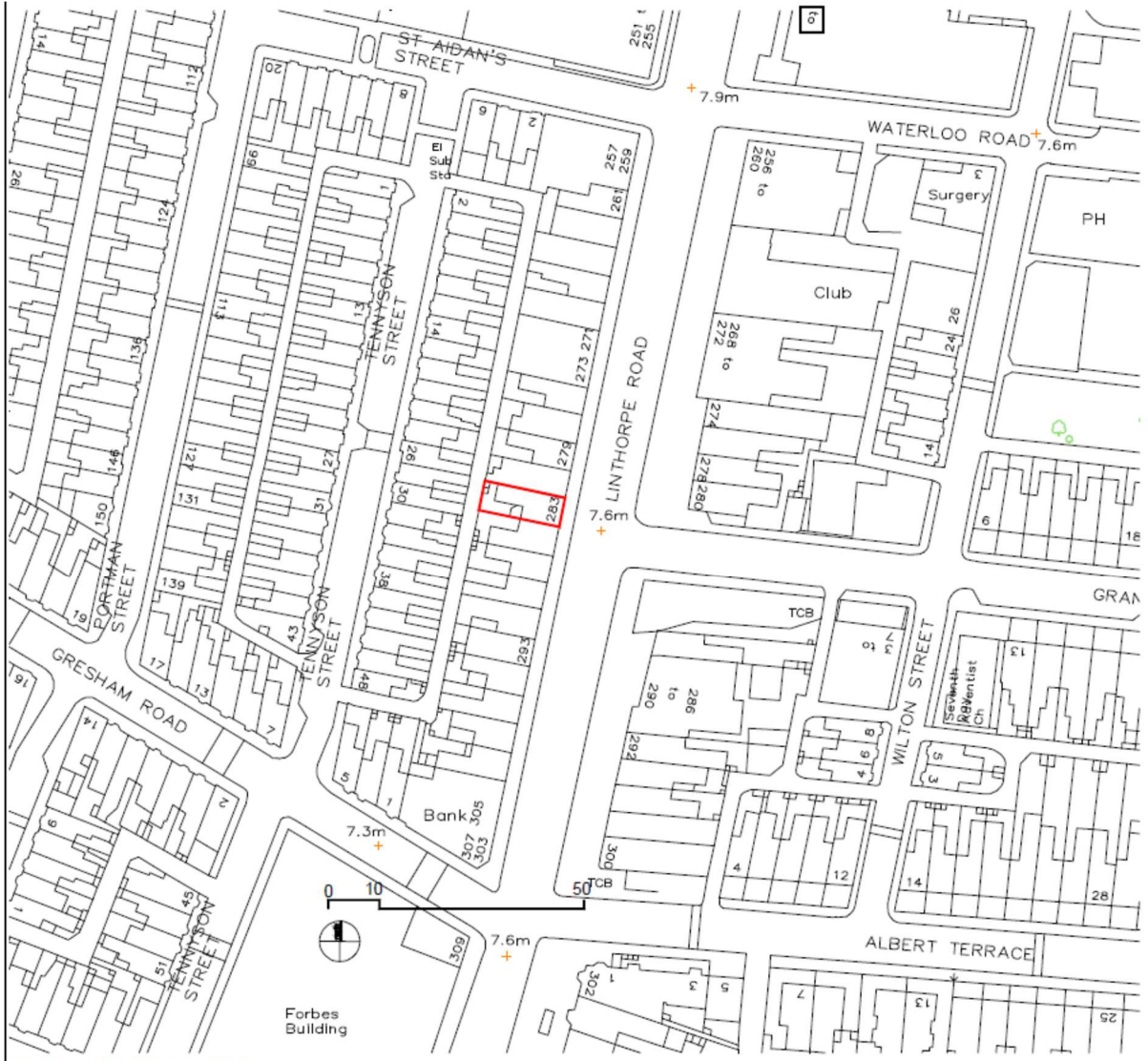
INFORMATIVES

Informatives

1. Building materials on highway
The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.
2. Deliveries to site
It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early

Case Officer: Debbie Moody

Committee Date: 5th September 2020



LOCATION PLAN
SCALE 1:1250@A3