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PLANNING AND DESIGN & ACCESS STATEMENT

PROPOSAL : **CHANGE OF USE FROM A3 (RESTAURANT) TO A5 (HOT FOOD TAKEAWAY), CHANGES TO SHOP FRONT AND EXTERNAL ALTERATIONS**

ADDRESS : **UNIT 3 SMITHFIELD CENTRE, LEEK, ST13 5JW**

APPLICANT : **MRS NADARASA**

DATE : **AUGUST 2018** **JOB No. : 2018-2355**

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1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Mrs Nadarasa to prepare and submit a planning application to Staffordshire Moorlands District Council for the change of use from A3 (restaurant) to A5 (hot food takeaway) and external alterations to Unit 3, The Smithfield Centre, Leek. The application is accompanied by a full set of planning drawings which should be read in conjunction with this statement.

2.0 SITE DESCRIPTON

The application site relates to a vacant unit in the Smithfield Centre, a 1960's shopping development in Leek town centre which incorporates the bus station.

3.0 PROPOSAL

This is a full application which seeks consent for the change of use of the existing vacant unit from A3 use (restaurant) to A5 use (hot food takeaway) with associated external alterations. The existing unit has previously been used in conjunction with the adjacent Chinese Restaurant. The proposed change of use requires some internal alterations to the shop unit at ground floor level comprising of removal / addition of stud wall partitions. The existing shop front frame and doorway will be removed and a new aluminium double door set will replace the existing arrangement. The surrounding glazing and faming will be altered to suit. The replacement aluminium frame and finish will be the same as the existing.

4.0 PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining a planning application, the decision maker must make their determination in accordance with the Development Plan unless material considerations indicate otherwise. Given this obligation, this chapter therefore considers national guidance relevant to the application as well as the Core Strategy Development Plan Document (March 2014). The following is considered relevant:

<u>Core Strategy</u>,

S01 Spatial Objectives

SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development

DC1 Design Considerations

TCR1 Development in the Town Centres

In terms of design and amenity, Policy DC1 expects all new development to be well designed to respect the site and it's surrounding; having regard to matters of scale, density, layout, siting, landscaping, character and appearance. New development should protect the amenity of the area, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

Core Strategy Policy TCR1 states:
In primary frontages, proposals for changes of use to A1 retail will be supported. Development falling within other use classes will only be permitted where it will not create a concentration of non-shopping uses and result in an unacceptable change in the retail character of the immediate area or have an adverse effect on the vitality or viability of the town centre.

Proposals for residential use at ground floor level in primary frontages will not be supported.
Any non A1 use must be complementary to adjacent shopping uses in terms of its operational characteristics and retain a display frontage appropriate to a shopping area.

In secondary frontages development falling within other use classes will be permitted where it will contribute to the vitality and viability of the town centre.

National Planning Policy Framework

There is considerable planning policy and guidance relevant to the planning application proposal at both local and national levels. The NPPF is significant as it sets out the Government's commitment for a positive response to planning proposals that would deliver sustainable development in order to assist growth to the economy. It has been made clear that the planning system has a key role in facilitating growth and development should be supported with a presumption in favour of granting planning permission. This change of emphasis provides an important background to the application proposal.

5.0 PLANNING CONSIDERATIONS

The application site lies within the town settlement boundary where there is a general presumption in favour of development. Primary and Secondary frontages are not yet designated and this will take place through the emerging site allocations DPD. However the site is located in a Town

Centre Shopping Street and as such it will be considered as though it were primary retail frontage. The site lies within a short parade of retail units which front onto Ashbourne Road directly opposite the Monument and just before the bus station and access, beyond which the character of the street changes from mainly retail and commercial to predominately residential. It is a relatively small unit previously used by the neighbouring Chinese restaurant but currently vacant. It sits within a small parade of shops which includes a mix of retail and other town centre uses such as banks and restaurants, although the majority remain in retail use. The lawful use of the application site is not A1 (retail) and its proposed use as a hot food takeaway is also a town centre use which would be complimentary to other uses such as retail. In addition it should be noted that the existing vacant unit is one of 4 within the short promenade of units and the proposed development would bring one of these back into a viable economic use. Accordingly it is not considered that the proposal will result in a loss of retail frontages or a significant break in frontage such that it would be detrimental to the vitality and viability of the town centre. In this respect the proposal therefore complies with Policy TCR1 of the adopted Core Strategy.

The applicant proposes to open the hot food takeaway from 10:00am until 2:00am Monday through to Thursday and 10:00am till 3:30am Friday and Saturday and 10:00am until 2:00am on Sundays and Bank Holidays. With regards to amenity the surrounding development is predominately commercial with a micro brewery to one side and a Chinese Restaurant and takeaway to the side with the bus station to the rear and pub/hotel opposite. It is not considered that the proposed development would be prejudicial to the reasonable enjoyment of any of the surrounding dwellings nor would it affect neighbouring land uses.

In addition to the proposed change of use the application seeks consent for changes to the shop front and physical alterations to the rear of the building to accommodate the ventilation unit and ducting. The aluminium frame and finish would be the same as the existing and the proposed ventilation unit and ducting would be located at the rear of the building and only visible from the car park. The proposed changes are minor and would not result in any harm to the character and appearance of the shop front or wider surrounding area.

Given the sustainable town centre location it is not considered that the proposed development would be prejudicial to highway safety.

6.0 CONCLUSION

The proposed development is considered to represent a sustainable form of development and would bring an existing vacant unit in a prominent shopping parade back into beneficial re-use. The proposed use of the building as a hot food takeaway would not result in an over concentration of non retail uses within the area and would introduce a use which is compatible and complimentary to the other established uses within the immediate area. The proposed development would not have any adverse impact upon the shop front or the wider surrounding area nor would it be prejudicial to residential amenity, adversely affect any neighbouring land uses or be detrimental to highway safety. The application is therefore considered to accord with policies in the Development Plan and guidance contained within the National Planning Policy Framework.

7.0 DESIGN & ACCESS STATEMENT

USE

The application proposes the conversion of a vacant unit previously in A3 (restaurant) use to A5 (hot food takeaway) use with associated external alterations.

AMOUNT

The proposal relates to a small vacant unit which measures 71.5 sq metres at ground floor with 28.5 sq metres above.

LAYOUT

The proposed unit would provide a takeaway counter, food preparation, cooking and washing area at ground floor with storage above.

SCALE

The application relates to the ground floor use of the unit.

LANDSCAPING

The application site occupies a town centre location and does not benefit from any landscaping. No landscaping is proposed as part of this application.

APPEARANCE

The external changes proposed to the shop front and the installation of a ventilation unit and ducting at the rear would not impact adversely upon the character and appearance of the unit, wider parade of shops within which it sits or the wider street scene.

ACCESS

No alterations to the existing access have been proposed as part of this application.