

Surface Planning

SM_0170_03

28th July 2022

Polly Harris-Gorf
Planning Department
South Holland District Council
Council Offices
Priory Road
Spalding
PE11 2XE

By Planning Portal Submission

Dear Polly,

Proposed Change of Use of Unit 2 from Class E (Retail) to Sui Generis (Hot Food Takeaway) – Land East of Church Street and South of Bicker Road, Donington

Further to the recent implementation of planning permission H04-1086-20 relating to the development of two retail units on land east of Church Street and south of Bicker Road, Donington, I am pleased to enclose an application for change of use in respect of Unit 2, from the approved Class E use to sui generis (hot food takeaway) use as a fish and chip shop.

The required planning application fee of £494.20 will be provided along with the Planning Portal submission.

Please find enclosed the following plans in order to define the proposals:

- Drawing **19045-010-P01** – Site Location Plan
- Drawing **P-101** – Existing Ground Floor Plan
- Drawing **P-102** – Existing Elevations (Context)
- Drawing **P-103** – Proposed Ground Floor Plan
- Drawing **P-104** – Proposed Elevations (Context)
- Drawing **P-105** – Proposed Elevations (Unit 2)

Surface Planning

Proposed Development

The proposal comprises the change of use of Unit 2 to sui generis hot food takeaway use as a fish and chip shop. The proposed internal arrangement of the premises is set out on accompanying drawing P-103. Minor external works are proposed as set out on accompanying drawing P-105, comprising a louvered flue outlet and a refrigeration condensing unit on the south-facing side elevation. Signage for the unit is also indicatively shown on drawing P-105. All necessary consents under the advertising regulations will be sought separately by the prospective operator.

Planning Policy Appraisal

The proposed appearance of the unit is considered to be entirely in keeping with its existing lawful retail use and site context. The main issue for the assessment of the current application is therefore considered to be the effect of any planning policy considerations relating to the proposed sui generis use.

Policy 24 of the South East Lincolnshire Local Plan 2011-2036 sets out the key development plan policy dealing with retail uses. The primary purpose of the policy is to set out a hierarchy for retail development including requirements for the assessment of impact on the vitality and viability of designated local centres resulting from out of centre development. As part of the assessment of the extant planning permission H04-1086-20, a 'worst-case' approach to retail impact was adopted, with the entirety of the approved 467m² gross floorspace being taken into account. The assessment concluded that the scheme as a whole would operate to claw back retail spending flowing away from Donington and would have a positive effect on the Primary Shopping Area, which is located approximately 260m to the south, via linked trips.

In any event, Unit 2 comprises a small proportion of the overall floorspace (approx. 50m² net) and on its own falls well below the 250m² policy threshold for retail impact assessment. The proposed change of use of Unit 2 to a fish and chip shop would serve more localised demand and would not impact on the overall positive effect on the vitality and viability of the PSA which will continue to be delivered by the operation of the larger retail unit by Central England Co-operative.

By virtue of planning permission H04-1086-20, the application site may be used for a range of uses falling under Class E of the Use Classes Order. The unit is not in use, nor has it previously been in use, as a local shop. The relevant requirements of the second paragraph of Part C to Policy 24 therefore do not apply to the proposed development.

Paragraph 6.2.6 of the supporting text to Policy 24 states:

Surface Planning

While retail uses are fundamental for attracting customers, non-retail uses, such as cafes and restaurants, can add to the vitality of centres. However, poorly-placed non-retail uses and an over-proliferation of similar uses such as hot-food takeaways and betting shops, particularly within the Primary Shopping Area, can negatively impact on the local amenity and activity within a centre and, therefore, will be resisted.

Although the application site is not located within the Primary Shopping Area, it is nevertheless considered appropriate to address the issue raised in the supporting text specifically in respect of proliferation and potential impact on local amenity and retail activity. There are no existing hot food takeaway uses in the immediate locality of the application site. The nearest existing HFT uses are located on Market Place and High Street approximately 360m walk to the south. As such the proposal will not result in a proliferation of HFT uses in the local area. The proposal will serve predominantly localised demand which will complement retail activity at the adjoining convenience store, and in turn the vitality and viability of Donington's Primary Shopping Area through the retention of expenditure currently flowing out of the catchment.

In respect of local amenity, the proposed ventilation and extraction equipment on the side elevation of Unit 2 is located at least 25 metres from the nearest residential boundary and separated by intervening soft landscaping and site boundary treatments, and is therefore not expected to result in any unacceptable impacts on residential amenity by virtue of noise, odour, or general disturbance.

For these reasons it is concluded that the proposed development is fully in accordance with the relevant requirements of the development plan. The proposal is acceptable in the context of relevant retail planning policy and will not result in any unacceptable or harmful impacts on local amenity. No material considerations have been identified that would weigh against the proposals. It is therefore found that the proposals are entirely suitable for the granting of planning permission.

I trust that the above and enclosed details will enable the application to be registered and determined promptly. If you require any further information or have any queries at all in relation to this application, please do not hesitate to contact me at your convenience.

Yours sincerely,

Jake Stentiford

Director

Surface Planning

Email: jake@surfaceplanning.co.uk