

PLANNING STATEMENT

Minor Variation of Condition 6 Operating Hours

66-68 SINGLEWELL ROAD, GRAVESEND DA11 7PW



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1.0 Introduction

Proposed Development

This application has been submitted with reference to planning permission for part change of use to A5 Hot Food Takeaway with the restricted condition of a non delivery service.

In light of the fundamentally "changed" world we now live in and will do from now on, as well as the accelerated rate of change averaging 70 – 80% of takeaways in the industry now being delivered and expected to stay for the foreseeable future, its popularity has evidently resulted in the reduction of customer vehicular traffic and short trip collections associated with these types of premises.

To ensure the viability of the business in line with this type of trade, this application seeks a Minor Variation of Condition No.6 - Operating Hours by mitigation of -1.5hrs from the morning breakfast peak time service and offset to the early evening +1.5hrs from Monday to Saturday.

By means of further **mitigating measures** permitted and proposed:

1. No overall increase in operating hours - by offsetting accordingly for Monday to Saturday
2. Removal of morning breakfast peak time service 8:00-9:30am trading hours for Monday to Sunday
3. Reduction in overall hours by -1.5 hours for Sunday with no offsetting in the evening
4. Permitted installation for cycle parking by means of sheffield stands for use by customers and staff, offering an alternative and sustainable method of transport and off-street parking
5. Permitted installation of bollards on the property boundary to prevent cars driving over the footway by means of removing risk to highway safety and allowing free flow of traffic
6. Internal / external parking signage to premises, as to encourage customers to park responsibly
7. Road safety engagement with Kent County Council Highways Manager, who has formally confirmed the renewal of road markings adjacent to the premises (ref:561867) as programmed
8. Road safety engagement with Gravesham Borough – Senior Parking Officer, who has formally confirmed that officers (team of No.10) have the area adjacent to the premises on regular enforcement patrol and where resource allows the area will be visited more frequently
9. Introduction of litter patrols by staff and management
10. On site management procedures implemented to control any potential noise disturbance and address concerns in a meaningful and responsible way

The offset of opening hours from as little as +/-1.5hrs without doubt, would very much contribute to the long term viability and investment of this local small startup business.

The slight increase of only +/-1.5hrs is not unreasonable and note that the Government are encouraging extended hours for businesses such as this given the current economic uncertainty.

Accompanying Documents

The application comprises the following documents and plans:

1. Application Form
2. Planning Statement
3. Location and Plans Sections and Elevations and Refuse Store
4. Block Plan
5. Parking Assessment and Survey

2.0 Site and Surroundings

Site Description and Context

The site is located within an existing designated Local Retail Centre with the character of the surrounding area being mixed uses, and where later opening business premises can be expected, as designated under section of the Local Plan Core Strategy.

The area is a highly accessible location within easy walking of Gravesend Town Centre and is only a short distance (12 walking minutes) away, there is also a public transport network within close proximity of the site, supported by bus & coach stops and walking routes adjacent to the premises. It was also noted that the area has a high presence of cyclists, likely due to the nearby Cyclopark (5 cycle minutes) offering world class facilities for the area and Woodlands Recreational Park (5 walking minutes) and a Golf Club (5 walking minutes).

Cross Lane East from the far end is one way only and not open to through traffic. Singlewell Road North & South and Cross Lane East & West are not categorised as A or B Roads, unlike Wrotham Road (A227) and Old Road East & West (B261) which run parallel and cater for main traffic towards and out of Gravesend Town Centre.

The retail unit provides a sustainable business opportunity which is facilitated by the parking time restrictions within the immediate vicinity as well as via footfall to the area. The outlet primarily serves the immediate vicinity, again within walking distance, which is common to this kind of facility.

A review of other evening time uses within the Local Centre indicates that retail units within the shopping area are permitted to open later hours, than that applied for at the application site.

Below demonstrate examples of retail units in the Local Centre (circa 55% of overall), operating hours past 6:30pm and which generate short trip visits to the area. All are within proximity of 20m to 100m distance from the application site - with a number exceeding operating hours as advertised past those proposed for this outlet. With x3 retail units being issued licenses by GBC authorising the supply and sale of alcohol until 11:00pm:

No.	Retail Name	Open	Close (latest)	Closing hours compared to proposed A5 Unit - 8:00pm
1.	Lime Minimart	7:00 am	11:00 pm	+3.00hrs
2.	Singlewell Food & Wine	8:00 am	10:30 pm	+2.30hrs
3.	Lavish Hair Saloon	9:00 am	10:00 pm	+2.00hrs
4.	Trokes News	6:30 am	9:30 pm	+1.30hrs
6.	Body 1 st Studios	9:00 am	9:00 pm	+1.00hrs
7	Gill Barbers	9:30 am	9:00 pm	+1.00hrs
8.	Utopia	9:00 am	8:00 pm	Same

Planning History

The following list has been extracted from the Planning Portal and covers the period of previous uses as both a motor mechanic workshop and a retail unit:

Application Ref No.	Description	Decision
April 2021 - 20210452	Installation of cycle parking	Permitted
Feb 2020 - 20200131	Works to refurbish and subdivide the existing ground floor A1 unit, to form part change of use to A5 (hot food takeaway) and remaining unit to A1/A2 accommodation including changes to the existing shop front and hard standing.	Permitted
Jul 2019 - 20190695	Works to refurbish and subdivide the existing ground floor A1 unit, to form part change of use to A5 Hot Food Takeaway & Delivery Service and remaining unit to A1/A2 accommodation including changes to the existing shop front and hard standing.	Refused
Feb 2018 - 20180121	Works to refurbish and subdivide the existing ground floor A1 unit, to form part change of use to A5 (hot food takeaway) and remaining unit to A1/A2 accommodation including changes to the existing shop front and hard standing.	Refused
Sep 2017 - 20170983	Conversion of the former A2 Motorcycle Centre to form 2no. shop units incorporating alterations to existing shop front.	Permitted
Jul 2016 - 20160702	Continued use of ground floor as a motorcycle showroom with associated workshop and MOT bay.	Permitted

3.0 Scheme Proposal

Proposal

A Minor Variation of Condition No.6 (Planning Ref No.20200131) in relation to the permitted operating hours, by offsetting -1.5hrs from the morning to the evening +1.5hrs from Monday to Saturday.

The proposed opening hours would only be +/-1.5 hrs each day than currently permitted by the existing hot food takeaway use of the site. The site is located within a designated centre with a mix of uses where later opening business premises is expected.

As indicated below, the disadvantaged / restricted **non delivery takeaway (walk-in only) hot food service** has the following opening hours:

Operations and Employment

Class A5 – Hot Food Takeaway Unit

Employment 2 Persons

CURRENT

Walk In - Opening Hours:

Monday	8:00am – 6:30pm
Tuesday	8:00am – 6:30pm
Wednesday	8:00am – 6:30pm
Thursday	8:00am – 6:30pm
Friday	8:00am – 6:30pm
Saturday	8:00am – 6:30pm
Sunday	8:00am – 6:30pm

PROPOSED

Walk In - Opening Hours:

Monday	9:30am – 8:00pm
Tuesday	9:30am – 8:00pm
Wednesday	9:30am – 8:00pm
Thursday	9:30am – 8:00pm
Friday	9:30am – 8:00pm
Saturday	9:30am – 8:00pm
Sunday	9:30am – 6:30pm (decrease -1.5hrs overall)

With use of the x4 time restricted Local Centre Parking Spaces - Monday to Saturday until 6:30pm, as well as use of the vast lengths of unrestricted Parking Spaces – Monday to Sunday, all within 100m radius of the premises.

4.0 Planning Policy and Considerations

Development Plan & Planning Policy

In preparation of this application several policy matters were reviewed and considered.

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS11 – Transport
- CS19 – Design & Development Principles

Gravesham Local Plan: First Review (1994) saved policies

- S7 – Hot Food Shops and Restaurants and other A3 uses
- P3 – Vehicle Parking Standards

Other material considerations

- National Planning Policy Framework (2019)
- Section 2 – Achieving sustainable development
- Section 7 – Ensuring the vitality of town centres
- Section 9 – Promoting healthy and safe communities
- Section 12 – Achieving well-designed places Supplementary Planning guidance
- SPG 4 - KCC Parking Standards (2006)

Within Gravesham, Local Centres form a key part of the retail hierarchy enabling local communities to meet their everyday needs. This policy has been adopted in order to promote and retain local services within easy reach of residential areas. In this instance the proposed site lies within the service range of a substantial residential hub within the Singlewell and Woodlands Ward.

Policy 80 of the National Planning Policy Framework stipulates that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

Highways & Street Parking

It should be considered from the word go that this industry was changing over the years, however the current Covid pandemic has widened the dimensions and greatly accelerated the rate of change. Many of these changes, such as home deliveries 70-80% in general, can be expected to continue after the Covid crisis ends because they are proving so popular across the board. The modern business forms an important part of local way of life with customers able to choose from an online menu, place an order and pay from the convenience of their own mobile device.

1. The site is approx. 30 metres from its junction with Singlewell Road and lies within the local policy Retail Designated Area with the character of the surrounding area being mixed
2. Specific parking protection has been provided and is within the use class common to such facilities, the site is served by a series of time restricted parking bays (unrestricted after 6:30pm) and vast lengths of unrestricted on street parking all within 100 meters of the unit
3. With the already imposed condition of a non-delivery service for this hot food takeaway, it should be considered parking demand would therefore be dispersed, having a limited and diluted impact on local roads, largely after rush hour when traffic levels would be reduced
4. Information from existing hot food establishments show that there are significantly differing patterns of operation depending on location. In a suburban situation such as this, there are three peak times of trading: morning (8:00-9:30am), lunchtime (12:00-1:30pm) and the other early evening (5:00-7:00pm). Accordingly, it was decided to survey the areas outside of the already permitted operating hours from 6:30pm and 8:00pm. The data was gathered on a Thursday, Friday and Saturday.
5. **The independent Parking Survey carried out in line with the parameters agreed with GBC Highways Management Officer, evidences that there is not an acute parking issue and that a satisfactory standard of servicing and parking is available for those who elect travel by car, it can be concluded that the variation does NOT cause a significant risk to highway safety, with adequate parking for customers between 6:30pm to 8:00pm, throughout the week and the perceived busiest days of Thur, Fri and Sat for the hot food takeaway service.**
6. It is noted that there were two slight accidents in the immediate area to the property (www.crashmap.co.uk), but no other incidents have been recorded in the last five years. Looking further back there was no serious or fatal accidents over the last twenty years, so overall there is nothing to suggest the highway directly opposite the unit is a dangerous location
7. In terms of inconsiderate or dangerous parking, this is unfortunate, however I do not consider that this could necessarily be linked to extended opening hours. Motorists should comply with traffic regulations in regard to this and infringements are for the x10 GBC Parking Enforcement Officers who patrol locally and work 7 days a week in the borough to enforce (formally confirmed)
8. By means of further mitigation reference impact on the highway, a scheme has recently been approved for the installation of off street Cycle Parking (Ref No. 20210452)
9. Furthermore, the provision of a new facility in this location will be a valuable asset in the move towards sustainability in serving the large number of residences in the local area without the need for residents to travel further afield

With the increase in demand for deliveries, the amount of actual vehicular traffic associated with customers is reduced. The numbers of people driving to the site to collect their own food is further limited by the way in which the orders are only accepted according to the cooking capacity available when the telephone or online order is made. It should not therefore be visualised that large numbers of cars will descend on the food outlet at any one time.

Impact on amenity

Appeal statements with reference to previous change of use application:

Appeal Ref: APP/K2230/W/18/3219116 – Case Officers Comments:

8. However, as the opening hours would be limited to no later than 2200 hours in the evening I am satisfied that any extra noise resulting from the appeal proposal would not cause undue levels of harm to the living conditions of occupiers of nearby dwellings.

Appeal Ref: APP/K2230/W/18/3219116 – Case Officers Comments:

10. I am therefore satisfied that the waste storage facilities would not give rise to levels of noise or odours that would be harmful to the living conditions of the occupiers of the residential accommodation on the upper floors.

Appeal Ref: APP/K2230/W/18/3219116 – Case Officers Comments:

13. I conclude that the proposal would not result in unacceptable effects on the character and appearance of the street scene.

It therefore accords with part (ii) of LPFR Policy S7 which seeks to ensure that proposals for hot food takeaway outlets do not have a detrimental effect on the amenity of any nearby residential accommodation. There is also compliance with CS Policy CS19 in this particular respect.

The above comments were also acknowledged by the Local Planning Authority, with the case officer permitting Planning Ref No.20200131 for the change of use to Hot Food Takeaway.

There are no physical changes proposed to the building, the alterations are to the opening hours Monday-Saturday which are being applied to be extended by an hour and half a day to close at 8:00pm rather than 6:30pm.

The proposed takeaway aims to diversify the local residential amenity, with the hours of use for the takeaway closing at 8:00pm Weekdays and Saturday. These hours are less to those seen at the other takeaway nearby and would prevent disturbance arising from noise and general activities at unreasonable hours. The First Floor flat above the commercial unit facing Singlewell Road and Local Residents of Cross Lane East currently experience some degree of disturbance by virtue of their outlook onto the shopping parade, with its associated traffic and pedestrian activity, and also from the local roads; the proposed shop still lies within an established area of commercial activity.

Given the level of activity within the vicinity of the site associated with both passing traffic and the nearby supermarkets/off licenses, the noise and disturbance associated with the proposed operating hours will not have an unacceptable adverse effect upon the residential amenity of nearby residents.

In relation to antisocial behavior and noise, there is no significant evidence that the development has or is particularly likely to lead to increased littering, loitering, noise or other antisocial behavior, which was also supported at both appeals, furthermore a management strategy will be put in place during opening hours to mitigate any such risk.

The application site is surrounded by mixed commercial and residential properties, the only residential unit immediately impacted by this application is above the premises and is owned by me. It is in my direct interest to protect this amenity from noise and odour in order to retain a viable residential and economic use.

5.0 Conclusion

I would humbly ask that the matters be considered not by assertions of historic generalised assumptions or non-evidenced likelihood's and where appropriate the proposal be looked at in the wider context of the modern takeaway and in the light of the fundamentally "changed " world we now live in and will do from now on:

- A review of other evening time uses within the Local Centre indicates that Retail Units within the shopping area are permitted to open later than that applied for at the application site. However, as the opening hours would be limited to no later than 8:00pm and being less than the adjacent Local Supermarket, Off License and Newsagent (all within 20m to 35m distance from the hot food takeaway), which generate short trip visits to the area and close at 9:30pm, 10:30pm and 11:00pm respectively. The proposed opening hours do not seem unreasonable with several outlets closing much later in the evening
- With the initial change of use – the appeal case officer being satisfied that any extra noise resulting from the proposal would not cause undue levels of harm to the living conditions of occupiers of nearby dwellings before the hours of 10:00pm
- Through the anticipated escalation now averaging 70 – 80% of takeaways in the industry being delivered, its popularity has evidently resulted in the reduction of customer vehicular traffic and short trip collections to these types of premises
- In comparison to the existing situation, the small increase in evening opening hours will not result in undue impact on highway safety or parking pressure in the surrounding area, supported by the independent Parking Survey carried out in line with the parameters agreed by GBC Highways Management Officer, which evidences that there is not an acute parking issue up to 8pm and that a satisfactory standard of servicing and parking is available, without the need for illegal parking by customers whom have chosen to collect and elect travel by car
- The scheme proposal remains in full compliance with the kind of economic activity common to the highway and parking demands of the designated Local Retail Centre as confirmed in Gravesham LPA Polices Map
- The viability of a facility as such in this location, is a valuable asset in the move towards sustainability in serving improved local access for the number of residences and increased home workers in the area, without the need to travel further afield

The Minor Variation of Condition No.6 by ± 1.5 hrs will also contribute to the survival and viability of the non delivery business in line with this highly competitive sector, due to the long term reduction of customer actual vehicular traffic and short trip collections to these types of premises.

The proposed slight increase of only ± 1.5 hrs is not unreasonable and note that the Government are encouraging extended hours for businesses such as this given the current economic uncertainty and alongside the mitigating measures proposed I duly recommend the application for approval.