

SUDBURY – 57 NORTH STREET

Change of use from Class A1 (Shop) to Class A5 (Hot-Food Takeaway). Erection of extraction equipment.

Applicant: Mr. T. Wong

Case Officer: Gemma Pannell

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SITE

1. The application site is situated at the North end of North Street and is currently a clothes shop, which is soon to cease trading. This part of North Street is characterised by existing takeaway outlets, and the building next door is Friends Chinese Restaurant and takeaway.
2. North Street car park is situated behind the Argos Store, which has direct access off North Street and lies in close proximity to the site.
3. The site lies within the Sudbury Conservation Area and there are no other constraints that affect the site.

PROPOSAL

4. The application proposes a change of use from an existing retail use to that of an A5 (Hot Food Takeaway).
5. The proposed hours of operation are 1700 - 2300 Weekdays, Saturdays, Sundays and Bank Holidays.

HISTORY

6. 1964 – Planning permission granted for new shop front and access (S/64/0009/S refers)
7. 1985 – Planning permission granted for change of use of ground floor from shop to office (B/85/01028/FUL refers)
8. 1990 – Planning permission refused for change of use of ground floor from building society to amusement arcade centre (B/90/00183/FUL refers)
9. 2006 – Application withdrawn for change of use from retail to A5 (Hot Food Takeaway) to enable further information to be provided with regard to the proposed extractor system. (B/06/00437/FUL refers)

## POLICY

**\*please note that details or extracts of policies are no longer included in reports - see page 4 of these papers**

The following policies provide the framework against which this application should be judged.

10. Babergh Local Plan Alteration No. 2

- SD02 (Sudbury Town Centre)
- CN08 (Conservation Area)

## OBSERVATIONS

11. TC – Approve

12. CHA – No observations

13. Sudbury Society – We oppose this application for change of use, representing yet another loss of a retail outlet in the town. Already there are 8 such outlets in the short section of North Street, with all the associated problems of late evening noise, parking congestion and litter. Every conversion of A1 to A5 uses makes it more difficult for remaining shops in this part of the street to attract the necessary shopping footfall to remain viable.

14. HoES – Comments awaited

## ASSESSMENT

15. The site is located within the Mixed-Use policy area of Sudbury as identified in policies SD02. The policies state that application for new development will be judged against the following criteria:

- **Scale of the proposal, which must be compatible with the surroundings**
- **Effect on residential amenity**
- **Effect on Conservation Area**
- **Access, traffic generation and modes of transport**

An assessment of the application in respect of each criteria follows: -

### **Scale**

16. Given the mixed nature of the uses in the area, which include other takeaway facilities/restaurants and North Street Tavern, (which enjoys late night opening hours) the proposed hot food takeaway would be in keeping with the type and mix of uses in the area and the application site is situated next to an existing restaurant/takeaway.

### **Residential Amenity**

17. Due to the existing uses within this area, which include uses enjoying late night opening hours (the Masonic Hall and takeaways and restaurants and the nearby public house – North Street Tavern), and given that the HoES has not previously objected to the principle of a change of use, it is considered that the introduction of another A5 use in the area will not be unduly detrimental to residential amenity.
18. The formal views of Environmental Health are awaited and an update on this situation will be given verbally at the meeting.

### **Conservation Area**

19. This proposal will have no detrimental impact on the Sudbury Conservation Area. The application is for a change of use and the only external alterations are the erection of a flue at the rear of the site which is a service yard with similar development in the vicinity and as such the proposal is not considered harmful to the Conservation Area.

### **Traffic**

20. The County Highway Authority has raised no objections to the proposal. In addition there are a number of public car parks within the vicinity, the nearest being North Street car park (behind Argos) which has 190 spaces. This is within easy walking distance of the proposed take away and is likely to be largely vacant during the evenings.
21. There is also adequate space for turning and manoeuvring of within the vicinity of the application site provided by the turning area at the end of North Street.

### **Other Considerations**

22. Although this application proposes the loss of a retail unit it is situated within the Mixed Use Area of the Town Centre in land use policy terms, where a mix of uses (including Class A5 uses) can not be resisted.
23. Members will recall that a similar application at 50 North Street was granted planning permission at the Development Committee of 26<sup>th</sup> April 2006.

### **RECOMMENDATION**

Subject to no objection from the HoES, the HoP(C) be authorised to Grant Planning Permission subject to conditions –

- Opening Hours
- Any as recommended by HoES

### **DECISION**

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