

Report To: Planning Committee

Date of Meeting: 29th September 2014

**Lead Member / Officer: Cllr David Smith, Public Realm
Angela Loftus, Planning & Public Protection Policy
Manager**

Report Author: Claire MacFarlane, Planning Officer

**Title: Hot Food Takeaways Supplementary Planning Guidance – Consultation
draft**

1. What is the report about?

1.1. This report accompanies a draft Supplementary Planning Guidance (SPG) document on hot food takeaways which, if adopted, will be used in the determination of planning applications.

2. What is the reason for making this report?

2.1. Following the adoption of the Denbighshire Local Development Plan (LDP), an updated SPG on hot food takeaways is required in order to provide further guidance for developers, Officers and Members. A draft SPG for public consultation is attached to this report (Appendix 1).

3. What are the recommendations?

3.1. That Members agree the draft SPG on hot food takeaways as a basis for public consultation.

4. Report details

4.1. Following the adoption of the LDP on 4th June 2013, Council agreed to carry forward the existing series of SPGs, including SPG 11 – Hot Food Takeaways. However, given the differences between the previous Unitary Development Plan (UDP) and LDP policies, and the lengthy period since adoption of the original SPG (in 2003), it is necessary to produce an updated SPG on this topic. If adopted, the SPG will be a material planning consideration when assessing planning applications.

4.2. The SPG supplements the LDP policies on sustainable development and development in town centres by providing further guidance on suitable locations and other considerations for hot food takeaways.

4.3. The public consultation period would be a minimum of 8 weeks and is anticipated to start in October 2014. The results of the consultation will be reported back to Planning Committee with a final SPG for adoption.

5. How does the decision contribute to the Corporate Priorities?

5.1. The SPG does not directly contribute to the corporate priorities but will be used in maintaining the viability and character of town centres and will help to support the healthy eating in schools agenda.

6. What will it cost and how will it affect other services?

6.1. Agreeing the SPG for consultation is not anticipated to create any additional cost.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

7.1 An EqIA is not considered necessary for this decision. The principles of development of hot food takeaways have been established through adoption of the LDP. The SPG provides further guidance on this. The LDP underwent a full EqIA in May 2011.

8. What consultations have been carried out with Scrutiny and others?

8.1 No formal consultation has been carried out, but internal consultation has been carried out with officers in the Housing & Community Development Service, Development Management Team, Public Protection Section, Education Service and Highways & Environmental Services. Informal consultation has also been carried out with Public Health Wales.

8.2 Member input on the content of the SPG has also been provided through the LDP Members Steering Group and Licensing Committee (11th June). An excerpt from the minutes of this meeting are attached as Appendix 2 to this report.

9. Chief Finance Officer Statement

9.1 Any costs associated with the guidance should be contained within existing budgets and therefore there are no obvious financial implications contained in the report.

10. What risks are there and is there anything we can do to reduce them?

10.1 In the absence of up-to-date guidance there is a risk the Council will be unable to effectively operate the LDP policies. The current hot food takeaways SPG relates to the previous UDP policies, which are different to the LDP policies, and therefore cannot be relied upon to provide appropriate planning guidance in the long-term.

11. Power to make the Decision

11.1 Planning & Compulsory Purchase Act (2004).