

**Report To: Planning Committee**

**Date of Meeting: 15<sup>th</sup> April 2015**

**Lead Member / Officer: Cllr. David Smith, Public Realm  
Angela Loftus, Strategic Planning & Housing Manager**

**Report Author: Claire MacFarlane, Planning Officer**

**Title: Hot Food Takeaways Supplementary Planning Guidance – Adoption of final document**

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**1. What is the report about?**

1.1 This report summarises responses from the recent consultation on the draft Hot Food Takeaways Supplementary Planning Guidance (SPG), proposed amendments to the SPG and recommends adoption enabling the guidance to be used in the determination of planning applications.

**2. What is the reason for making this report?**

2.1 Following adoption of the Denbighshire Local Development Plan (LDP), SPG is required to support the relevant plan policies. This will provide further guidance for developers, Officers and Members. The version of the SPG proposed for adoption is attached to this report as Appendix 1.

**3. What are the Recommendations?**

3.1 It is recommended that Members adopt the proposed final SPG on Hot Food Takeaways for use in the determination of planning applications.

**4. Report details**

4.1 Council adopted the existing Hot Food Takeaways SPG in March 2003. However, local and national policies and good practice have since changed. The SPG provides guidance on new hot food takeaway developments in the County.

4.2 The draft SPG was subject to public consultation for a period of 12 weeks, from 1<sup>st</sup> December 2014 to 13<sup>th</sup> February 2015. A Report of Consultation including summaries of each response received is attached to this report as Appendix 2.

4.3 Four responses were received through the consultation period. However, no changes are proposed to the draft SPG as a result of the responses received.

**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 to adopt the SPG is not anticipated to create any additional cost.

6.2 Once adopted, the SPG will provide guidance for developers, Officers and Members on the issues to be considered when determining planning applications. This will assist the Planning & Public Protection Service.

## **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 general development principles applying to hot food takeaways have been established through adoption of the LDP. The SPG provides further guidance on how this will be achieved. The LDP underwent a full EqIA in May 2011. A completed EqIA template is attached to this report as Appendix 3.

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

8.1 As part of the 12 week public consultation, a wide range of stakeholders were contacted directly and publicity used to advise members of the public. Further information is provided in Appendix 2.

8.2 In addition to the public consultation, internal consultation was carried out before and after this period with Officers in the Public Protection Team, Development Management Team, Economic & Business Development Team, Highways Service, Healthy Schools Team and Catering Services (school meals). Officers from Public Health Wales were also involved in developing the draft SPG.

8.3 Member input on the content of the draft SPG has also been provided through the LDP Members Steering Group and Licensing Committee.

## **9. Chief Finance Officer Statement**

9.1 Any costs associated with the final 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 policy. 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).