

URGENT ITEM

DEVELOPMENT COMMITTEE

7 APRIL 2011

REPORT OF PRINCIPAL PLANNING OFFICER

PROPOSED OPENING HOURS FOR APPLICATION 10/00178/FUL

1. PURPOSE OF THE REPORT

- 1.1 To consider the proposed opening hours for application 10/00178/FUL.

2. RECOMMENDATION

- 2.1 That approval is given to include the proposed opening hours, below, within the conditions of the decision notice;
- 7:00am – 11:00pm Monday to Saturday, and;
 - 10:00am – 4:00pm Sunday

3. BACKGROUND

- 3.1 The above application, 10/00178/FUL, was reported to Committee on the 27th January 2010. Committee resolved at this meeting to permit the application subject to referral to the Secretary of State, the completion of a Section 106 Agreement and conditions.
- 3.2 As part of the resolution it was requested by Members that the opening hours of the proposed store be restricted and should not be 24 hour opening. A condition was drafted to state the store should not be 24 hour opening and that details of the opening hours be submitted and approved in writing by the Local Planning Authority. Members also requested that the details submitted in order to discharge this condition should be reported back to Committee for Members to agree the proposed opening hours.
- 3.3 Planning approval on this application has not yet been issued as the application is currently residing with the Secretary of State. However, the applicants have agreed that a more prescriptive approach would deliver greater certainty to the condition and have suggested the hours of opening referred to above.
- 3.4 The applicant has stated the likely opening hours and Members are requested to consider these proposed times and whether they are acceptable.

4. PROPOSED OPENING HOURS

- 4.1 The agent has advised the Authority that the opening hours are likely to be 7:00am – 11:00pm Monday to Saturday and 10:00am – 4:00pm Sunday.

5. CONCLUSION

- 5.1 It is considered that the proposed opening times are acceptable due to the distances to adjoining properties and noise mitigation measures to be put in place, they are not 24 hour opening and are do not propose unsociable hours and therefore should be included with the decision notice, as specific limitations, in lieu of an approach of requesting details to be submitted.
- 5.2 It is intended that, after Committee authorisation, that the opening times are included as a condition in the decision notice to be issued after the referral to the Secretary of State.

Background Papers:

- Committee papers 27th January 2010.
- Planning Application 10/00178/FUL

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