

**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)**  
**ORDER 2015**

<b>Application number:</b>	22/00750/FUL
<b>Validated on:</b>	30 <sup>th</sup> May 2022
<b>Site address:</b>	5 Northgate Street
<b>Proposal:</b>	Change of use from a bank (use class E(c)(i)) to a sushi & hot food café (use class E (b)), internal alterations to include a new kitchen extraction system and new signage to the front

In exercise of its powers under the above-mentioned Act and Order the City Council as the Local Planning Authority **GRANT PERMISSION** for the development described above in accordance with the terms of the application and the plan/s submitted therewith subject to the following conditions:

**Condition 1**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason**

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Condition 2**

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers/documents:

Drg no 396/21/ plans as existing

Drg no 434/21/ proposed plans REV B

Drg no 434/21/A kitchen extract schematic PLANS & SECTION

Drg no 434/21/ proposed above ground drainage

Drg no 434/21/ shopfront existing and proposed & signage rev A

Kitchen extract odour controls and noise abatement document

except where these may be modified by any other conditions attached to this permission.

**Reason**

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

**Condition 3 Hours of Opening**

The development hereby permitted shall not be open to customers outside the following hours;

08:00 and 21:00 (Monday to Friday)

09:00 to 22:00 on a Saturday

10:00 to 20:00 on a Sunday/Bank holiday.

Reason: To protect the noise climate and amenity of local residents.

**Note 1**

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

**Note 2**

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls – explanatory booklet.

**Note 3**

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.



**Jon Bishop**

Planning and Development Manager

**Decision date: 13<sup>th</sup> October 2022**

**PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET**