

From: Shauna Vandermeulen <Shauna.Vandermeulen@cornwall.gov.uk>
Sent: 27 September 2023 12:33
To: Milly Southworth <admin@torpointtowncouncil.gov.uk>
Cc: Cllr John Tivnan <cldr.john.tivnan@cornwall.gov.uk>
Subject: PA23/05787 2 York Road

Information Classification: CONTROLLED

Good afternoon,

Application number: PA23/05787
Proposal: Proposed Change of use of site from Offices to Hot Food Takeaway with sit in functions and the installation of extraction equipment
Location: 2 York Road Torpoint Cornwall PL11 2LG
Applicant: Mr Sam Thorpe

Thank you for the Town Council response to the above proposal which I have set out below:

Torpoint Town Council (18 August 2023)

"Recommend refusal on the following two grounds:

- 1. Noise impact to residents' of the extraction fan plus the potential late night customers, being served during anti-social hours.*
- 2. Proposed takeaway to be sited on the A374 Antony Road (main road in Torpoint), the logistical problems this could cause with cars/vehicles stopping to collect takeaway orders on the A374 which would cause an obstruction on the highway, in a residential area."*

Following full assessment of the application including a visit to the site and consultation with the Councils Public Protection Officer, we are minded to recommend the application for approval. Please see below a response to the issues you have identified:

- 1. Noise as a result of the extraction fan and late night customers – We have consulted with the Public Protection team who, following the submission of noise assessment and some amendments to the proposal, specifically the addition of housing around the external fan to mitigate against case breakout noise, raise no objection to the proposal. I have also discussed with him concerns raised with regard to the noise of customers, however given the location of the site on the main road with a degree of mixed use properties, and the hours of operation put forwards by the applicant, it is not considered that the proposal would result in any additional significant disturbance to neighbouring residential properties. It is also of note that the current use of the premises is as a letting agents/office which falls within use class E. Notwithstanding the requirement of an extraction unit, use of the premises as a café/restaurant could proceed without the need for consent given that this also falls within use class E.*
- 2. Parking and highways – The site lies within a sustainable location on the main road into and within very close proximity of the main town. Whilst it is acknowledged that residential parking is available within the surrounding streets, there is also a public carpark approximately 150m from the site which visitors to the premises would be able to utilise. Along the main road, parking and waiting is prohibited and therefore the introduction of a hot food takeaway with sit in facilities should not result in visitors obstructing the highway.*

In light of the above, I intend to recommend the application for approval.

I would respectfully request that your Council consider the following options as set out within the Protocol for Local Councils:

1. Agree with my recommendation
2. Agree to disagree
3. Having made strong planning reasons to maintain your original position on the proposal against my recommendation, it is requested that the application is determined by the Planning Committee*

Please tell me which option you wish to choose within 5 working days from the date of this communication. It may not always be appropriate to take an application to Committee if the planning position is so clear-cut that it would not be right to make a different decision to the one being recommended. In these rare circumstances we will consult the Divisional Member and explain our reasoning when making the planning decision.

If I do not hear from you within 5 working days, a delegated decision may be issued in accordance with my recommendation following discussion with the Divisional Member. If our recommendation changes for any reason we will notify you so that you may reconsider your own position.

*Planning committees can be viewed and accessed remotely. Further information can be found on our website at Webcasts - Cornwall Council.

Kind regards,

Shauna Vandermeulen | Development Officer (Area 7)
Cornwall Council | Development Management – Regulatory Services

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Please note I am unavailable on Tuesdays

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