

RYEDALE DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990

FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

**RYEDALE DISTRICT COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS
CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED
SUBJECT TO THE CONDITIONS STATED BELOW:**

Application No: 20/00235/FUL

Proposal: Change of use of part of a light industrial unit (Use Class B1) to a hot food takeaway (Use Class A5)

at: 30 Dove Way Kirkby Mills Industrial Estate Kirkbymoorside North Yorkshire YO62 6QR

for: Mr J Wentworth

Decision Date: 9 June 2020

REASON FOR APPROVAL

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Local Plan Strategy - Policy SP6 Delivery and Distributing of Employment Land and Premises

Local Plan Strategy - Policy SP7 Town Centres and Retailing

Local Plan Strategy - Policy SP20 Generic Development Management Issues

CONDITIONS AND ASSOCIATED REASONS

01 The development hereby permitted shall be begun on or before 8th June 2023.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

02 The change of use hereby permitted relates to the areas shaded in red on the following approved plans and shall be carried out in accordance with the following approved plan(s):

- o Site Location Plan. (EX10) (Received 16/03/2020)
- o Block Plan (EX20) (Received 16/03/2020)

Reason: For the avoidance of doubt and in the interests of proper planning.

Mr J Wentworth
C/O Mr Andrew Rosher
25 Market Square
Duns
Berwickshire
TD11 3BY

- 03 The development hereby approved shall be used for the approved use between 06:00 am and 21:00pm hours, Monday - Sunday, including bank holidays.

Reason: To ensure that the amenities of nearby residents are not unreasonably affected and to protect business users of the industrial estate in accordance with Policy SP20 of the Local Plan Strategy.

- 04 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, there shall be no change of use from the A5 Use Class hereby granted, unless a planning application for such a change of use has been submitted and approved in writing by the Local Planning Authority

Reason: In order to ensure that the development hereby approved remains available for the intended use to support the industrial estate and in the interests of sustainable development. The condition is required to satisfy Policies SP6 and SP20 of the Local Plan Strategy.

Footnote :

In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.

NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE DISTRICT COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.



HEAD OF PLANNING

Mr J Wentworth
C/O Mr Andrew Rosher
25 Market Square
Duns
Berwickshire
TD11 3BY