

26/00027/FUL

Applicant JMMS Group Limited

Location 75 Boundary Road West Bridgford Nottinghamshire NG2 7DB

Proposal Change of use from retail (Class E) to hot-food takeaway and installation of extract flue

Ward Musters

Details of the application can be found [here](#).

THE SITE AND SURROUNDINGS

1. The application property is a ground-floor unit with a Class E (Commercial, Business and Service) use, as part of a semi-detached building with a first-floor residential flat accessed via a separate side entrance. The ground-floor unit was once a newsagent, was most recently used as 'Evans Cycles' although is currently vacant.
2. In accordance with the 'Policies Map' the application site is within the Boundary Road 'Centre of Neighbourhood Importance' which is located to the South of Boundary Road, between Willow Road and Ralf Close. The Centre of Neighbourhood Importance comprises 6 ground floor units, across 3 pairs of two-storey semi-detached properties. At first-floor across these properties, it is understood that there is a mix of commercial and residential uses. Forward of the properties is a shared car parking area operating in an informal manner.
3. An additional ground floor unit was approved under ref; 25/01553/FUL between 71 and 73 Boundary Road.

DETAILS OF THE PROPOSAL

4. It is proposed for the change of use from retail (Class E) to hot-food takeaway. The change of use would be facilitated by internal alterations, including a larger kitchen area, and the addition of an extract flue.
5. The extract flue would be located to the rear elevation with a c.0.5m diameter, exiting the property at a height above ground of c.2.2m and its maximum height would be c.1.14m above the eaves.
6. Full details of the application can be found [online](#).

SITE HISTORY

7. There is no relevant planning history at 75 Boundary Road.
8. 25/01553/FUL - Between 71/73 Boundary Road - Conversion and change of use of double garage to dessert shop (Sui Generis), single storey rear extension, changes to the front facade. Permitted January 2026.

REPRESENTATIONS

Ward Councillor(s)

9. Ward Councillor, Cllr S Dellar, objects due to parking and access issues, pedestrian safety, impact on the character of the area, neighbour amenity, anti-social behaviour, the distance to schools, and notes the centre of West Bridgford has plenty of takeaways.
10. Ward Councillor, Cllr D Polenta, objects due to parking and access issues, pedestrian safety, neighbour amenity and distance to schools.

Statutory and Other Consultees

11. Environmental Health do not object, subject to a series of conditions summarised below.
Operation Hours restricted to 11:00-23:00 every day.
Details of noise levels for any externally mounted plant or equipment.
Details of the extract ventilation system
Deliveries and waste collection restricted to Monday-Friday 07:00-18:00, Saturday 08:00-17:00 and no deliveries or waste collection on Sundays and Bank Holidays.
12. NCC Highways do not object, stating the proposal is 'unlikely to result in a material change to the existing situation in terms of impact on the public highway.'

Local Residents

13. 6 letters of support have been received. The reasons are summarised below:
 - Compatibility with the commercial nature of the parade
 - Contribution to the area / economic benefits / improvement of choice
 - Protection of residential amenity
 - Highway safety
 - Efficient use
 - Other hot-foot takeaways within walking distance of schools
 - Waste bins available.
14. 17 letters of objection have been received. The reasons are summarised below.
 - Proximity to schools and parks
 - Operating hours overlapping school and evening periods.

- Impact on residential character and appearance
- Increased traffic, parking and highway safety concerns
- Potential crime, anti-social behaviour and loitering
- Noise and nuisance from customers, deliveries and equipment
- Odour, fumes and air quality impacts
- Litter, food waste and vermin concerns
- Foul sewage, waste storage and collection concerns
- Precedent and cumulative impact of further similar uses
- Existing local takeaway provision.

15. The full extents of comments can be found [online](#).

PLANNING POLICY

16. The decision on any application should be taken in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy and The Rushcliffe Local Plan Part 2: Land and Planning Policies (LPP2). Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Residential Design Guide (RRDG).

Relevant National Policies and Legislation

17. The relevant national policy considerations for this proposal are those contained within the National Planning Policy Framework (NPPF) and the proposal should be considered within the context of a presumption in favour of sustainable development as a core principle of the NPPF.

18. The NPPF includes a presumption in favour of sustainable development. Local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Decision-makers at every level should seek to approve applications for sustainable development where possible.

19. Achieving sustainable development means that the planning system has three overarching objectives, an economic objective, a social objective and an environmental objective, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives.

20. As such, the following sections in the NPPF with regard to achieving sustainable development are considered most relevant to this planning application:

- Chapter 7 - Ensuring the vitality of town centres
- Chapter 8 - Promoting healthy and safe communities
- Chapter 12 - Achieving well-designed places

21. The following policies of the Rushcliffe Local Plan Part 1: Core Strategy are considered to be relevant to the current proposal:
- Policy 1 - Presumption in Favour of Sustainable Development
 - Policy 6 - Role of Town and Local Centres
 - Policy 10 - Design and Enhancing Local Identity
 - Policy 14 - Managing Travel Demand.
22. The following policies of the Rushcliffe Local Plan Part 2: Land and Planning Policies (LPP2) are considered to be relevant to the current proposal:
- Policy 1 - Sustainable Development
 - Policy 26 - Development within Centres of Neighbourhood Importance
23. The Rushcliffe Design Code Supplementary Planning Document was adopted by the Borough Council on 1 September 2025. The SPD supplements the Rushcliffe Local Plan (Part 1: Core Strategy and Part 2: Land and Planning Policies) and national planning policies and guidance. The SPD sets out the design requirements for new development in Rushcliffe Borough and will be used in the determination of planning applications.
24. The full policies of the local planning documents can be found [online](#).

APPRAISAL

25. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
26. The main issues in the consideration of the application are; principle of development, impact on the character of the area, neighbour amenity and highway safety.

Principle of development

27. In accordance with the 'Policies Map' the application site is within a 'Centre of Neighbourhood Importance' which provide limited retail and community services within a local area and Policy 26 sets out the criteria against which proposals within them should comply.
28. Part 2 of LPP2 Policy 26 (Centres of Neighbourhood Importance) states that within the Centres of Neighbourhood Importance planning permission will be granted for ground floor development proposals provided:
- a) individually or cumulatively it would not result in a significant adverse impact on the vitality, viability or character of the centre;

- b) it does not result in an unacceptable grouping of non-retails uses; and
 - c) it does not result in A5 (hot food and take-away) uses exceeding 30% of the total units.
29. The proposal would retain the active frontage of the property and as such it would not be considered to have an adverse impact on the vitality, viability or character of the centre.
30. Planning permission has been granted for the change of use and works to form a dessert shop including hot food (Sui Generis) between nos.71 and 73. Whilst similarities exist, in that both the proposal and the approval at 71-73 provide hot-food takeaway, 71-73 would predominantly be a dessert shop and the proposal is understood to be savoury items. Nonetheless, this would result in 2 of 7 ground floor uses with the sui generis use including hot food takeaways, equating to 28.6% of the units. As such, the proposal would accord with leg a), b) and c) of part 2 of Policy 26 of the LPP2.
31. Part 3. of LPP2 Policy 26 states that development in Centres of Neighbourhood Importance will be expected to create a more accessible, well-connected and well-designed centre. It should therefore:
- a) be of a high standard of design and not adversely affect the centre by reason of its scale, bulk, form, layout or materials;
 - b) not result in the loss of buildings or other features, including open space, which make an important contribution to the appearance of the centre;
 - c) not cause a significant adverse impact on the amenity of nearby residents and occupiers;
 - d) not create inactive frontages of more than two units;
 - e) not give rise to unacceptable environmental or public safety impacts;
 - a) and
 - f) provide appropriate provision for servicing and parking.
32. Legs a), c), e) and f) will be discussed later in this report. In terms of leg b), the proposal would not result in the loss of a building or feature and would therefore comply. In terms of leg d), the proposed ground floor use would continue to be accessed from the front, and have an unchanged front elevation, and therefore remain as an active frontage, complying with the requirement.
33. Paragraph 97 of the NPPF states that ‘Local planning authorities should refuse applications for hot food takeaways and fast food outlets:
- a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or
 - b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour.’
34. In accordance with the assessment of the approval at 71-73 Boundary Road (ref; 25/01553/FUL), whilst the application site is within walking distance to several schools, the site is within a designated Centre of Neighbourhood Importance where such a use, in accordance with Policy 26 of the LPP2, is

considered acceptable. A decision to refuse the application would not be considered justified in this instance.

35. Accordingly, provided the proposal would be considered acceptable in terms of legs a), c), e) and f) of part 3 of Policy 26, and being in accordance with other relevant policies of the development plan, the proposal is considered acceptable in principle.

Impact on the character of the area

36. Core Strategy policy 10, Design and Enhancing Local Identity, states that development should make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce valued local characteristics. Development should be assessed, amongst other things, in terms of its massing, scale, proportions, materials, architectural style and detailing. This is reinforced under policy 1 of the Local Plan Part 2, which also states that development should be sympathetic to the character and appearance of neighbouring buildings and the surrounding area.
37. Chapter 12 of the NPPF concerns achieving well-designed places. Specifically, it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping and should be sympathetic to local character and history and maintain a strong sense of place.
38. Part 3. of LPP2 Policy 26 requires development to be of a high standard of design and not adversely affect the centre by reason of its scale, bulk, form, layout or materials.
39. No alterations are proposed to the shop frontage in terms of design, materials or openings. Any signage other than that which would have deemed consent or that would not require deemed consent or express consent, would be subject to an application for advertisement consent.
40. The proposal includes the installation of an extraction flue to the rear elevation. The flue would be located to the rear and therefore not be easily visible from public domain. There would be an element of visibility from Ralf Close although this is limited by virtue of the orientation of the building and location of the proposed flue, in addition to the tall soft boundary treatments between the application site and the highway. That said, Officers raise no concerns with the form and appearance of the proposed extraction flue as it is considered to not be excessive in size (height and diameter), whilst being of an appropriate and subtle finish for its use.
41. Accordingly, the proposal is considered acceptable in terms of the impact on the character of the area, having regard to Policy 10 of the LPP1, Policy 1 and 26 of the LPP2 and Chapter 12 of the NPPF.

Impact of proposed development on amenity of adjoining occupiers

42. Core Strategy Policy 10 states that development should be assessed in terms of its impact on the amenity of nearby residents. This is reinforced under Policy 1 of the Land and Planning Policies document, which states that development should not be granted where there is a significant adverse effect upon the amenity of adjoining properties.
43. Part 3. of LPP2 Policy 26 requires development to not cause a significant adverse impact on the amenity of nearby residents and occupiers.
44. Given the proposed use, there would be the potential for impacts on nearby occupiers in terms of noise and odour.
45. In terms of odour, the proposed extraction flue would be in reasonable proximity to a window serving a first-floor flat at 73 Boundary Road. Other residential properties in proximity include those on Ralf Close. Environmental Health as technical advisors were consulted on the application and, subject to appropriate details of the extraction system including details of how the equipment will suppress and disperse fumes and/or odour produced by cooking and food preparation, and ensure it is in use at all times when cooking is carried out in the premises. Subject to appropriate details being provided, Officers are content with Environmental Health's stance.
46. It is noted that Environmental Health's comments included a suggested condition whereby the 'extract vent should terminate not less than 0.6 metres (ideally 1 metre) above the ridge of the building.' Clarification has since been sought, in that the extract vent would terminate more than 1m above the eaves and not the ridge. Environmental Health have confirmed the first-floor occupiers would not be unduly impacted subject to adequate details of how the equipment will suppress and disperse fumes and/or odour produced by cooking and food preparation.
47. Noise is generally more impactful on neighbouring occupiers in the evenings by virtue of the activity within dwellings at these times, such as resting or sleeping, along with less noise being made in public. The proposed use would be open until 23:00 Monday to Sunday, including bank holidays. Noise could be present from the extraction system, from staff and users, and from vehicle movements.
48. In terms of the extraction system, a condition would be added on any approval requiring details of the expected noise levels generated by the fan, which are required to be supplied, must include full octave band analysis, and that all mountings and fixings shall incorporate anti-vibration mounts in order to reduce airborne and structure-borne noise transmission. Subject to adequate details being provided, Officers are content that the extraction system would not result in an unacceptable impact on the amenity of nearby occupiers.
49. In terms of staff and users of the site, Officers have no significant concern noting the site is within a Centre of Neighbourhood Importance, the use class at present is Class E (Commercial, Business and Service) where noise levels

would be similar from several uses which would not require planning permission e.g. Class E(b) Sale of food and drink for consumption (mostly) on the premises.

50. In terms of noise from any increased vehicle movements, the application site is located within a designated Centre of Neighbourhood Importance along with a mix of retail shops and commercial services, in addition to a recently approved sui-generis takeaway use between 71 and 73 Boundary Road. Boundary Road is a main route linking A60 Loughborough Road and the A606 Melton Road at the southern end of West Bridgford. Furthermore, the adjacent convenience store is open well into the evening which could generate similar levels of comings and goings as a hot food takeaway. As such, there are likely to be vehicle movements between the hours of 11:00-23:00 in any case. Similarly to the above paragraph, planning permission would not be required for a change of use to several uses within Class E that would result in a similar level of vehicle movements.
51. In terms of overshadowing and overbearing impacts, the only increase in massing would be from the proposed flue. In terms of overshadowing, the proposed flue would be located to the South of the nearest habitable window (understood to be serving a first-floor flat) and therefore result in an increased level of overshadowing. However, given the scale of the proposed flue and its location, having a close relationship with the rear elevation, the impacts would not be considered unacceptable. The proposed flue would not be within a 45-degree line of sight from the first-floor window and would therefore not be considered overbearing.
52. Overall, Officers are content that the proposal would not result in an unacceptable impact on the amenity of nearby occupiers. The nearest residential occupier is the first-floor flat at 73 Boundary Road which may experience an impact, although this would not be considered to a level that would warrant refusal of the application subject to adequate details being provided by condition, and the use being restricted to the hours of 11:00-23:00. Environmental Health as technical advisors do not object subject to a series of conditions. The application site is within a Centre of Neighbourhood Importance, where such uses are to be expected. It is considered that the proposed development would not significantly, adversely affect the amenities of the occupiers of neighbouring properties in terms of noise and disturbance. The proposal would therefore be considered to comply with Policy 10 of the LPP1 and Part 3. of LPP2 Policy 26.

Impact on highway safety and parking provision

53. Paragraph 116 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'
54. Part 3. of LPP2 Policy 26 requires development to provide appropriate provision

for servicing and parking.

55. The Boundary Road Centre of Neighbourhood Importance is within the urban area of West Bridgford, and is walkable from many properties whilst also having bus stops adjacent. Any customers visiting by car would have the opportunity to park in the existing informally arranged car park wrapping around the frontage of the properties. It is also noted that delivery drivers and customers parking would likely come-and-go in a relatively swift turn around, and would not require a large amount of on-site staff, ensuring spaces are still available for the other units without resulting in any notable increase in spill to the surrounding roads.
56. The car parking area has several access/egress points, each with a good level of pedestrian and vehicular visibility splays that do not give rise to any significant highway safety impact.
57. NCC Highways have been consulted on the application and do not object, stating the proposal is unlikely to result in a material change to the existing situation in terms of impact on the public highway. It was also noted that the current use class (Class E) would allow other commercial/business uses to operate at the site without the need for planning permission, such as food retail or café/restaurant use, which would generate a similar parking demand to that of a hot-food takeaway.
58. The servicing needs of the site will also likely remain as existing.
59. As such, the proposal would not result in an unacceptable impact on highway safety and therefore, in line with Paragraph 116 of the NPPF, the development should not be refused on highways grounds. The proposal would comply with Policy 26 given that appropriate provision for servicing and parking would be provided.

Other Matters

Biodiversity Net Gain

60. Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.
61. Under Regulation 4 (de minimis exemption) of The Biodiversity Gain Requirements (Exemptions) Regulations 2024, the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which meets the first and second conditions.
62. The first condition is that the development does not impact an onsite priority

habitat. The second condition is that the development impacts—

- (a) less than 25 square metres of onsite habitat that has biodiversity value(1) greater than zero; and
- (b) less than 5 metres in length of onsite linear habitat.

63. The proposal would comply with the two conditions and fall under the de minimis exemption, and therefore be exempt from providing biodiversity net gain.

Consultation concerns:

64. Concerns relating to proximity to schools, impact on the character of the area, amenity of nearby occupiers, parking/access and pedestrian safety have been covered within this report. Outstanding matters can be summarised as precedent setting, anti-social behaviour and littering, waste storage/removal, and sewage disposal.
65. In terms of precedent setting and amount of existing takeaways, as outlined in the 'principle of development' section the proposed use would not exceed 30% of the total units. However, it would result in 28.6% of the units with the approval at 71-73 Boundary Road meaning that any further hot food takeaway use in the Boundary Road Centre of Neighbourhood Importance would be contrary to Policy 26 of the LPP2.
66. In terms of anti-social behaviour and littering, the Boundary Road Centre of Neighbourhood Importance and its surrounding area is served by several public waste bins, whilst the application site would also likely have bins internally, meaning customers have plenty of bin provision. The area is well-lit, with plenty of natural surveillance along with CCTV.
67. Officers have no reason to have concern with the waste storage and removal, and sewage disposal practices of such a use, and suggests the proposed use would not be dissimilar to several Class E uses in terms of waste.

RECOMMENDATION

68. The proposed change of use from retail (Class E) to hot-food takeaway and the addition of an extract flue would be acceptable in principle, complying with Policy 26 of the LPP2. Furthermore, it would be acceptable in terms of impact on the character of the area, impact on nearby occupiers and highway safety. As such, it is recommended that planning permission is granted subject to a schedule of conditions.

It is RECOMMENDED that planning permission be granted subject to the following conditions:

- 1. The development must be begun not later than the expiration of three years beginning with the date of this permission.**

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

- 2. The development hereby permitted must be carried out strictly in accordance with the following approved plan(s)/drawings/documents.**
 - o 25/1204/04 Rev A – Proposed Elevations. Dated 07/01/26.**
 - o 25/01201/03 – Proposed Floor Plans. Dated December 2025.**

[For the avoidance of doubt having regard to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

- 3. The development hereby permitted must be constructed using only the materials and details specified in the approved plan, 25/1204/04 Rev A – Proposed Elevations. If any alternative materials are proposed to be used, then prior to the development advancing beyond damp proof course level, the details of all alternative external materials must be submitted to and approved in writing by the Borough Council. Thereafter the development must be carried out in accordance with the approved, alternative materials.**

[To ensure the appearance of the development is satisfactory having regard to policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

- 4. The development hereby permitted shall be restricted to the hours of operation 11:00-23:00, Monday to Sunday including bank holidays. The operation of any externally mounted plant or equipment shall also be limited to these hours.**

[To protect the amenities of nearby residential properties having regard to having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

- 5. Before being brought into first use, the noise levels for any externally mounted plant or equipment, together with any internally mounted equipment which vents externally, shall be submitted to and approved by the Local Planning Authority. If this information is inconclusive or not complete, then the applicant will be required to undertake a full noise assessment in accordance with BS 4142:2014+A1:2019: Methods for rating and assessing industrial and commercial sound. This report will need to make it clear that the plant/equipment is capable of operating without causing a noise impact on neighbouring properties.**

[To protect the amenities of nearby residential properties having regard to having regard to Policy 10 (Design and Enhancing Local Identify) of the

Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

- 6. Prior to installation, full details regarding the proposed extract ventilation system for the cooking area shall be submitted to and approved by the Local Planning Authority. This submission shall include the following:**
- a) The extract vent should terminate not less than 1 metre above the eaves of the building and not less than 1 metre above any openable window/skylight.**
 - b) The system must be in use at all times when cooking is carried out in the premises.**
 - c) Details of the expected noise levels generated by the fan, which are required to be supplied, must include full octave band analysis.**
 - d) All mountings and fixings shall incorporate anti-vibration mounts in order to reduce airborne and structure-borne noise transmission.**
 - e) Details of how the equipment will suppress and disperse fumes and/or odour produced by cooking and food preparation.**
 - f) The extract vent should not be fitted with any restriction at the final opening i.e. cap or cowl.**
 - g) The system should be designed to allow the collection and removal of rainwater in order to prevent water entering the fan unit.**

[To protect the amenities of nearby residential properties having regard to having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)].

- 7. Deliveries and waste collection shall be restricted to the following times, to cause the minimum amount of disturbance to neighbouring premises:**
- Monday-Friday 0700 – 1800 hours**
 - Saturday 0800 – 1700 hours**
 - Sunday/Bank Holidays No deliveries or waste collection**

[To protect the amenities of nearby residential properties having regard to having regard to Policy 10 (Design and Enhancing Local Identify) of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019)]

Note-

The application was not the subject of pre-application consultation although no significant concerns have been raised during the consideration of the scheme allowing for the decision to be issued in a timely manner.

Having regard to the above and having taken into account matters raised there are no other material considerations which are of significant weight in reaching a decision on

this application.

Biodiversity Gain Condition

The development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain under Under Regulation 4 (de minimis exemption) of The Biodiversity Gain Requirements (Exemptions) Regulations 2024, and as such does not require approval of a biodiversity gain plan before development is begun.

Further information about this statutory condition is set out below within the notes.

NOTES TO APPLICANT

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining landowner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

Details of any alterations to the front elevation have not been provided and will likely be required via an advertisement consent application.

The applicant is advised of the requirement for registration of the food premises. Further details can be found on the [www.gov.uk](https://www.gov.uk/food-businessregistration) website (<https://www.gov.uk/food-businessregistration>). Further advice/assistance on food registration and food hygiene requirements can be obtained by contacting environmentalhealth@rushcliffe.gov.uk

BIODIVERSITY NET GAIN CONDITION – NOTES

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

Statutory exemptions and transitional arrangements:

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74- 003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>