

Public Examination of the Development Management Local Plan

London Borough of Lewisham response to the Inspector's initial query regarding DM17: Restaurants and cafes and drinking establishments

1. *Is it sound for para 2.147 to require applicants to set out how 'they' are intending to trade, since applicants will not always be the future operators of the premises? In practice, consideration of an application for an A3/A4 use has to involve a robust assessment of the likely effects of any occupier within those uses, bearing in mind that actual occupiers and their individual operating procedures can vary widely within a given Use Class. If necessary, conditions can be imposed to cover any essential matters.*

(Note a complete list of all the Inspector's initial questions are on the Examination website and can be accessed via the following link:

<http://www.lewisham.gov.uk/myserVICES/planning/policy/LDF/development-policies/Documents/DMLPInitialQueries.pdf>)

Planning Policy – 13 January 2014

Council Response

- 1.1 The Council accepts that occupiers and operating procedures can vary widely within a given Use Class and full details regarding how applicants are intending to trade may be onerous. However, part 17(2) of the policy requires applicants to 'provide acceptable arrangements' for points a-d. The Council consider that these details are important and crucial at the initial application stage, in order to make a robust assessment of the principle of development including the likely effects of any occupier on neighbouring properties. Full details can still then be dealt with via condition, however consideration should at least be given to these issues by the applicant at the initial application stage.

Suggested Modification

- 1.2 In response to the Inspectors initial concerns the Council propose the following modifications. Text additions are **underlined in bold** and deletions are ~~struck through~~.

2.147 The sale of food and drink in restaurants and cafes (A3 Uses should be primarily be for the consumption on the premises. Applicants should ~~set out how they are intending to trade, in line with part 2 (a-d) of the policy,~~ **consider and provide details of the points contained within the part 2**

(a-d) of the policy, including details of any proposed ancillary uses.
Ancillary uses may be appropriate unless excluded by condition.