

Take-away hot food shops, restaurants, cafes, pubs and bars

Use Classes Order 2005

The Use Classes Order 2005 now breaks what was previously identified as A3 uses, into A3 Restaurant & Cafes, A4 Drinking Establishments, and A5 Hot Food Takeaways. These uses are normally considered appropriate to a shopping frontage.

Is planning permission required?

You will need planning permission if you intend to do any of the following;

- change the use of a property to an A3, A4 or A5 use from any other use;
- extend a property which is currently an A3, A4 or A5 use;
- extend the opening hours if they are limited by a planning condition.

Planning permission is also required if you intend to alter the external appearance of a building, for example installing a new shopfront.

If you wish to put up new signs or alter existing ones, **advertisement consent** may also be required. Special consent may also be necessary if your property is a **listed building** or is within a **conservation area**.

If you are in doubt about any of the above or intend to start a business falling within Class A3 – A5 you are strongly recommended to contact the Development Control Section on **023 9283 4299** or **023 9283 4302** for further advice.

What other permission may be required?

If you intend to make physical alterations to a building, you may also require Building Regulation approval. You can contact our **Building Control Service** for further information on **023 9283 4722**.

You will also need to register your outlet as a food premises and comply with environmental health requirements. The **Public Protection Service** can be contacted on **023 9283 4252**.

What do I need to take into consideration?

The City Council will treat planning applications for new uses on their individual merits while having regard to the following issues: -

1. The location and size of the premises;
2. The proximity of residential properties;
3. The availability of on-street and/or off-street parking;
4. The safety of pedestrians and other highway users;
5. The provision of an extract ventilation system, incorporating odour neutralising plant, where external ducting is required;
6. The intended hours of operation;
7. The storage of refuse generated by the business;
8. The views submitted by local residents or property occupiers in response to an application.
9. The number of similar uses in the immediate vicinity.

Local Concern

New developments of any nature often raise a degree of local interest. Applications for Class A3-A5 uses (including those providing a delivery service) and take away hot food shops in particular can generate local concern. However, local objection in itself would not be sufficient for the City Council to refuse permission. Such a decision must be based on sound planning grounds.

Will I face any obvious restrictions?

Where permission is granted for Class A3-A5 uses, restrictions on opening hours will vary depending upon the location of the premises, character of the area and whether the use is seen as providing a service to the local community. In all cases, however, extraction systems must be maintained in a satisfactory condition which may entail renewing grease and carbon filters as necessary.

Get in touch

It is important that those persons wishing to apply for a change of use on their property contact the Planning Service for advice prior to the submission of an application. In the first instance this is best done in writing providing as much detail as possible

You should write to:

Head of Planning Services
Civic Offices
Guildhall Square
Portsmouth
PO1 2AU

Telephone: 023 9283 4334
Fax: 023 9283 4660
e-mail: planning@portsmouthcc.gov.uk

For translated information please call:
Bengali answerphone service: 023 9284 1651 or
Cantonese answerphone service: 023 9284 1652

আপনি পোর্টসমাউথ সিটি কাউন্সিলের সকল তথ্যের অনুবাদ, বড় অক্ষরে অথবা কেসেটে পেতে পারেন। দয়া করে বিস্তারিত জানার জন্য এই নাম্বারে যোগাযোগ করুন 023 9284 1651

樸茨茅斯市政府的一切資料，均備有翻譯本、大字書刊或映音帶，如有需要，請致電... 023 9284 1652