



Planning Statement

In Support of a Section 73 Application – Variation of Condition 3 (Opening Hours)

Site Address: Kings Arms Court, 109 Coldharbour Lane, Hayes, UB3 3EF

Planning Reference: 10954/APP/2022/2226

Applicant: MA Hayes Ltd t/a Pepe's Piri Piri

Date: 14/07/2025

This Planning Statement is submitted in support of a Section 73 application under the Town and Country Planning Act 1990 (as amended), to vary Condition 3 (Hours Permitted for the Preparation and Sale of Food) attached to planning permission ref. 10954/APP/2022/2226, granted on 29 March 2023, for the:

“Change of use from Class E(a) retail to Class E(b) restaurant and ancillary Sui Generis takeaway, with new shopfront and extraction canopy to rear.”

Condition 3 of the permission currently restricts the hours of operation. This application seeks to vary that condition to allow for extended opening hours in order to better meet customer demand and ensure the commercial viability of the unit.

The application proposes the following revised wording of Condition 3:

“The premises shall only be open for the preparation and sale of food between the hours of 11:00 and 01:00 Sunday to Thursday, and 11:00 and 02:00 on Fridays and Saturdays.”

No changes are proposed to any other aspect of the approved development.

The premises are located at Kings Arms Court, 109 Coldharbour Lane, Hayes, within a designated town centre location characterised by mixed-use commercial premises, including restaurants, takeaways, and late-night convenience stores.

The original application (ref. 10954/APP/2022/2226) permitted the change of use from retail to a restaurant with ancillary takeaway, including external alterations such as a new shopfront and an extraction canopy to the rear. The unit is now occupied by Pepe's Piri Piri, a national food franchise known for late-evening takeaway and dine-in service.

The proposed hours—11:00 to 01:00 Sunday to Thursday, and 11:00 to 02:00 on Fridays and Saturdays—reflect:

- The standard operating hours of comparable food businesses in town centre locations.
- Customer demand for takeaway and delivery services later in the evening, especially on weekends.
- The business's need to remain competitive and financially viable within the current high street context.

This modest extension supports town centre vitality, sustains employment, and aligns with the government's planning objectives for supporting flexible business operations and the night-time economy.



The premises are located in a busy urban centre with existing evening and night-time activity.

- No outdoor seating, live music, or alcohol consumption is proposed.
- A modern extraction and ventilation system has been installed to mitigate odour and noise.
- Staff will be trained in responsible late-night operations, and management will carry out regular monitoring of litter, customer behaviour, and noise levels.

The applicant is amenable to a temporary consent period or the imposition of reasonable conditions, should the local authority consider it necessary to monitor the impact of the extended trading hours—particularly in relation to noise or delivery activity during late-night periods.

- The site is well served by public transport and town centre parking provisions.
- Late-night activity will primarily consist of foot traffic and third-party delivery platforms, which will be managed to avoid nuisance or congestion.

The proposed variation aligns with the aims of the National Planning Policy Framework (NPPF), including:

- Supporting the local economy and sustainable business growth (para. 81)
- Encouraging active and vibrant town centres (para. 86)
- Facilitating the night-time economy while respecting local amenity (para. 130)

At a local level, the proposal supports the objectives of the Hillingdon Local Plan, which seeks to promote the evening economy in town centres where impacts on residential amenity can be controlled.

The proposed variation to Condition 3 represents a logical and reasonable extension of the operating hours for an established food business in a town centre location. The extended hours will:

- Support business viability and job retention
- Improve customer service and convenience
- Align with comparable trading hours in Hayes
- Be managed to prevent harm to local amenity

The proposal complies with relevant planning policy and presents no material planning harm. The applicant therefore respectfully requests that Condition 3 be varied as proposed.