

# PLANNING AND LICENSING GUIDANCE COVID-19

June 2020

## Planning

This guidance note seeks to assist businesses re-opening following the lockdown period. We recognise that you may need to operate differently to meet the Government guidelines to be COVID secure, this may include a change in the nature of your use or physical changes to your building. In many cases you may not need to apply for planning permission to do this as there is much that is already permitted or which falls outside the scope of the planning system. We want to make it as easy as possible for you to adapt and re-open so this guidance primarily sets out what you can do without planning. Where you wish to make changes that do require planning permission we are happy to provide you with free advice and support to try and agree works which are both acceptable and which allow you to trade.

## Licensing

We understand that these are extremely difficult times for businesses, especially for our licensed premises, many of which have been required to close for an extended period of time and those that are now permitted to open, do so with the associated risks and complications of ensuring government guidelines are followed. In order to support our premises through the transition of reopening, the Licensing Service is working in partnership with other Services to ensure that we provide a coordinated and simplified approach for our premises should they wish to consider alternative measures and actions which could be undertaken to assist our businesses being able to open safely and profitably.

## **I run a café/pub/bar – can I provide takeaway food without needing planning permission? Do I need a Licence?**

From the 24 March 2020 until the 23 March 2021, you can provide takeaway food without needing planning permission. This is subject to the following conditions:

- the planning department must be notified if premises are to be used for the provision of takeaway food from 10am on 24 March 2020 until 23 March 2021 (“the relevant period”) at the end of which the temporary rights end;
- If there is such a change of use the premises reverts to its previous lawful use at the end of the relevant period or, if earlier, when the use stops.

The “provision of takeaway food” is defined as “*any use for any purpose within Class A5 of the Schedule to the Use Classes Order, and any use for the provision of hot or cold food that has been prepared for consumers for collection or delivery to be consumed, reheated or cooked by consumers off the premises*”.

The sale of alcohol is not included and will continue to be regulated under the licensing regime.

If you would like to provide a takeaway service of alcohol you must ensure that you have the correct premises licence in place. Your Licence must include the provision of ‘off sales’ and must not have any restrictive conditions attached to the Annex of your Premises Licence.

You will also require a premises licence if you intend to offer takeaway food after 23:00 hours and must be licensed or the provision of Late Night Refreshment to do this.

If you do not have a premises licence you can apply for one [here](#) or alternative apply for a [Temporary Event Notice](#).

The Licensing Service offer a pre-application advice service to support applicants who are considering making an application for a licence or to amend a Licence. If you are unsure and would like further advice then please email [licensingenquiry@camden.gov.uk](mailto:licensingenquiry@camden.gov.uk)

## **We want to change the use of our shop/café/restaurant/ bar or takeaway – do we need planning permission or a licence?**

Depending on the use of your business, it is possible to change the use without needing planning permission using permitted development rights.

A1 - shops	A1 or A2 & up to 2 flats; Temporary (2 years) to A2, A3 or B1; C3*; A2; A3*; D2*.
A3 – Restaurants and Cafes	Permitted change to C1 or C2 (Temporary for 2 years) to A1, A2 or B1
A4 - Drinking Establishments	AA (mixed use as predominately A4 with some A3, now classed as AA).
A5 (Hot Food Takeaways)	A1, A2 or A3; Temporary (2 years) to A1, A2, A3 or B1.

\*Subject to prior approval

If you are considering changing the use of your property, please contact the planning team for further advice at [planning@camden.gov.uk](mailto:planning@camden.gov.uk).

If you are a licensed premises, you will need to submit a minor variation application to amend the plan attached to the Premises Licence which must reflect internal layout changes that you make.

## **Do I need permission to change the internal layout of my shop/restaurant/café/takeaway?**

You do not need planning permission to alter your internal layout unless your building is listed. You can check this [here](#). If your building is listed, you must seek permission before you undertake any work.

You may need to apply for building control approval and can contact the team at [buildingcontrol@camden.gov.uk](mailto:buildingcontrol@camden.gov.uk).

For further guidance on how to layout your shop to comply with social distancing please visit the Government website [here](#).

If you are a licensed premises, you will need to submit a minor variation application to amend the plan attached to the Premises Licence which must reflect internal layout changes that you make.

## **Do I need planning permission to change my shopfront?**

You are likely to need planning permission to alter your shopfront. If any changes are necessary in order to help your business operate during Covid-19, you can seek free pre-application advice. Please email your enquiry to [planning@camden.gov.uk](mailto:planning@camden.gov.uk) and write in the subject heading COVID-19 adaptation so that we can ensure that it is prioritised,

You may need to apply for building control approval and can contact the team at [buildingcontrol@camden.gov.uk](mailto:buildingcontrol@camden.gov.uk).

## **Do I need permission to install barriers to help with queues?**

If any barriers are temporary and are removed/stored inside at the end of the day, you do not need planning permission.

Please note any furniture placed on the highway must be at least 1.8 metres clear of any obstacle (bins, lamppost, crossings, etc.).

## **Do I need planning permission for any markers on the ground outside for shop to help people queue?**

Any temporary stickers to indicate 2m distances will not need planning permission.

## **Do I need planning permission or a Licence to put tables and chairs on my forecourt or pavement in front of my business?**

You do not need planning permission to place tables and chairs on the forecourt or pavement if these are temporary and can be removed at the end of each day.

If you are looking to install fixed structures, we can advise on whether permission is needed, please email details to [planning@camden.gov.uk](mailto:planning@camden.gov.uk).

You will need to [apply](#) for a Licence should you wish to place Tables and Chairs on the public highway. Please note any furniture placed on the highway must be at least 1.8 metres clear of any obstacle (bins, lamppost, crossings, etc.). The Licensing Service has streamlined the application process and reduced the required consultation process from 28 days to 14 days to ensure as rapid turnaround as possible.

You will not require a Tables and Chairs Licence if the area is part of a private forecourt.

### **Our opening hours are controlled by a planning condition – can we extend without needing planning permission?**

If you need to open your business for longer hours to allow your business to operate whilst following social-distancing or help your business recover from the impacts of covid-19, we may temporarily allow you to extend your opening hours. You must make an informal request to [planning@camden.gov.uk](mailto:planning@camden.gov.uk) and write in the subject heading COVID-19 change of hours so that we can ensure that it is prioritised,

If operating under a Premises Licence you must ensure that your opening hours marry up with your planning hours. You will need to [apply](#) to vary your licence should you wish to change to your hours. If you require further information please contact [licensingenquiry@camden.gov.uk](mailto:licensingenquiry@camden.gov.uk)

### **We want to adapt our retail premises to increase online buying – do we need planning permission?**

You do not need planning permission to change the operation of your business which would include moving sales online.

If you are intending to provide alcohol sales online you will require a premise licence.

### **Useful websites**

- <https://www.camden.gov.uk/covid-19>
- <https://www.gov.uk/coronavirus>
- For building control advice: <https://www.camden.gov.uk/contacts-building-control>