

<b>APPLICATION NO.</b>	<a href="#">P13/V2500/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	22.11.2013
<b>PARISH</b>	WANTAGE
<b>WARD MEMBER(S)</b>	Charlotte Dickson Fiona Roper Vacancy for Wantage Charlton Ward
<b>APPLICANT</b>	Costa Coffee
<b>SITE</b>	Costa Coffee 11-12 Market Place Wantage Oxfordshire, OX12 8AB
<b>PROPOSAL</b>	Change of use of the highway to a pavement cafe. Cafe will consist of 4 tables and 12 chairs and be bookended by barriers.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	439813/187877
<b>OFFICER</b>	Katie Cook

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1.0 **INTRODUCTION**

1.1 The application comes to committee as Wantage Town Council objects.

1.2 Situated on the south side of the Market Place, the premises are Grade II listed and located within Wantage Conservation Area. The area of land to which this application specifically relates is located to the west of the premises. A copy of the site plan is **attached** at appendix 1.

2.0 **PROPOSAL**

2.1 This application seeks planning permission to change the use of part of the highway / forecourt area to the west of 11-12 Market Place to an external seating area for patrons of Costa Coffee which occupies the building. Measuring approximately 10.531 square metres, the area would contain four sets of tables and chairs and will be 'book ended' by moveable barriers measuring approximately 1.3 metres wide by 0.95 metres high. A copy of the application drawings is **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Wantage Town Council object to the application, stating;

"The proposal is on private property owned by the Town Council and not public highway. There is an established right of way for occupants of the property at the rear of the Costa Coffee shop. This proposal would block that right of way and oblige those using this building to divert across the forecourt area. Whilst the Town Council would like to see street cafes in the town, this is not a suitable location. It is adjacent to the main bus stop in the town centre and would be adversely affected by the buses and their users. Although not a planning issue, the Town Council would not intend to give its permission for the tables to be located on its property".

3.2 County Highways Liaison Officer raises no objections due to the tables and chairs "being away from the main footway area".

- 3.3 Conservation Officer states “No objection to the proposal subject to the feet of the tables and chairs not being fixed to the historic stone setts. The use could help to sustain the vibrancy of the town centre with outside café seating”.
- 3.4 Equalities Officer makes the following points;
- Pavement cafes can cause access issues for wheelchair and mobility scooter users. Where they are not well managed it can force the wheelchair or mobility scooter user into the road or bring them to a complete standstill.
  - Where there is an obstacle there should be a minimum clear pavement width of 1000mm. The maximum length of the restriction, in this case the tables and chairs, should be six metres.
  - The overall pavement width should dictate the number of chairs around the table.
- 3.5 Health & Housing - Food Safety have no observations.

#### 4.0 **RELEVANT PLANNING HISTORY**

- 4.1 Numerous applications have been determined in and around the premises. Of specific relevance to this application are;

[P09/V2042](#) - Approved (23/12/2009)

Application to vary condition 3 of planning permission WAN/16246/14 to allow take away facilities

[P09/V2036/COU](#) - Approved (23/12/2009)

Change of use to provide outdoor seating area in association with coffee shop.

P04/V1596 – Approved (02/12/2004)

Variation of condition 3 of planning permission WAN/16246/11 to allow café/bar use of ground floor (without takeaway).

P04/V0393/COU – Approved (29/04/2004)

Change of use from A1 retail to A3 (non-takeaway).

#### 5.0 **POLICY & GUIDANCE**

##### **National Planning Policy Framework**

- 5.1 The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. The local plan policies that are relevant to this application are considered to have a high degree of consistency with the NPPF and should therefore be given appropriate weight.

##### **Vale of White Horse Local Plan (adopted July 2006)**

- 5.2 Policy DC1 refers to the design of new development, and seeks to ensure that development is of a high quality design and takes into account local distinctiveness and character.
- 5.3 Policy HE1 relates to development within or affecting the setting of a conservation area, and seeks to ensure that development preserves or enhances the established character and appearance of the area.
- 5.4 Policy HE4 relates to development within the setting of a listed building and seeks to ensure that the scale, design and form of the proposal respect the characteristics of the building in its setting.

5.5 Policy DC5 seeks to ensure that a safe and convenient access can be provided to and from the highway network.

5.6 Policy DC9 refers to the impact of new development on the amenities of neighbouring properties and the wider environment in terms of, among other things, loss of privacy, daylight or sunlight, and dominance or visual intrusion.

## 6.0 PLANNING CONSIDERATIONS

6.1 The main issues to consider in determining this application are whether the principle of the development in this location is acceptable, the impact on the character and appearance of the conservation area and the setting of the listed building, highway safety, and the impact on residential amenity.

### Principle of development

6.2 The forecourt area upon which the seating area is to be located is owned by Wantage Town Council. The area to be used for the table and chairs is 10.531 square metres, with the principle of the use considered acceptable as it is considered that such outside seating areas could help sustain the vibrancy and vitality of the town centre.

6.3 As the land is owned by the Town Council permission will be required from them in order for the seating to be positioned on the forecourt area. This will need to be obtained by the applicant prior any planning permission being implemented. In order to advise the applicant of this requirement it is proposed to include an informative.

### Impact on visual amenity

6.4 The proposed tables and chairs, which are not fixed to the ground, will not appear out of place within the street scene as they will be viewed within the context of the coffee shop which they serve. It is considered that the character and appearance of the conservation area will be preserved.

### Impact on the setting of the listed building

6.5 The development will not harm the setting of the listed buildings which surround the forecourt area.

### Impact on highway

6.6 The tables and chairs are to be located away from the main footway area to the front (north) of the premises, and do not pose any highway safety concerns. The area of seating is not considered, given the space available within the remainder of the forecourt area, to compromise access issues for wheelchair and mobility scooter users.

### Impact on neighbours

6.7 Several flats are located within the vicinity of the application site. It has been confirmed by the agent that the external seating area will be used only during the hours of operation of the coffee shop (8am-7pm Monday to Saturday, and 9am-6pm Sunday) and that the tables and chairs will be stored inside the coffee shop outside of operating hours. Given the hours of operation, and given that this is a town centre location, it is considered that there will be minimal additional undue disturbance from the proposed change of use compared to the current situation.

## 7.0 CONCLUSION

7.1 The principle of the proposed development is considered acceptable, it will preserve the character and appearance of the conservation area, it will not harm the setting of the listed buildings in the vicinity or the amenities of neighbouring properties, and will not

compromise highway safety. The proposal, therefore, complies with the provisions of the development plan, in particular policies DC1, DC5, DC9, HE1 and HE4 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

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

1 : TL1 - Time limit - Full Application

2 : List of approved plans.

Informative

The applicant is advised that the granting of planning permission does not negate the requirement to obtain consent from the land owner prior to implementing the change of use.

Author: Katie Cook  
Contact number: 01235 540507  
Email: katie.cook@southandvale.gov.uk