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| APPLICATION NO. | P13/V1435/FUL |
| APPLICATION TYPE | FULL APPLICATION |
| REGISTERED | 25.6.2013 |
| PARISH | WANTAGE |
| WARD MEMBER(S) | Charlotte Dickson John Morgan Fiona Roper |
| APPLICANT | Mr V Montgomery |
| SITE | Montgomery Traditional Butchers 28 Wallingford Street Wantage Oxon, OX12 8BH |
| PROPOSAL | Change of Use from Butchers (A1 use) to Hot Food Takeaway (A5) including 2.00 am late opening hours. |
| AMENDMENTS | None |
| GRID REFERENCE | 439994/187866 |
| OFFICER | Mark Doodes |

1.0 INTRODUCTION

1.1 The application site is located mid-terrace along one of the secondary shopping streets, off Market Square in Wantage. Wallingford street presently has approx 12 units, of which 11 appear occupied. Of these, five are of a class A3/4/5 use. The road has single yellow line parking restrictions on the side of the road in question and double yellow lines opposite. No rear parking exists. The unit appears to have struggled as a retail destination, as is evident from the number of previous tenants. This may be due to wider economic recession in recent years or other factors.

1.2 The building is within the Wantage town centre conservation area and is a grade II listed building in a fair state of repair.

1.3 This application has been brought to committee due to the number of objections (four). Copies of the site location plan can be found **attached** at appendix 1.

2.0 PROPOSAL

2.1 The applicant seeks full planning permission to sell hot food take away on the premises in addition to the butchers and the existing cold food takeaway. The butchers and takeaway areas are physically separate, as is evident from the plans submitted. Office space exists above the butchers. The applicant seeks permission to sell hot food for consumption off the premises until 2am on Saturday morning and 12pm for the rest of the week.

2.2 Copies of the plans can be found **attached** at appendix 2.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Wantage Town Council - No objection subject to ventilation condition.

3.2 Neighbours – one letter of support and four letters of objection have been submitted. The grounds for objection are:-

- Noise and disturbance
- Highway safety issues from parked cars
- The use in addition to other similar uses is not appropriate in the area

- It will harm other businesses (this is not a material planning consideration)

- 3.3 Highways Liaison Officer (Oxfordshire County Council) – In view of existing parking controls, no objections
- 3.4 Crime Prevention Design Adviser – No objection but advises contact with Thames Valley Police Liaison Officer prior to opening.
- 3.5 Health & Housing – environmental protection team – No objection subject to ventilation conditions
- 3.6 Conservation Officer Vale - No objections at this stage

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P00/V0854/COU](#) - Approved (20/07/2000)
Change of use of first and second floors from residential to office.

[P95/V0181/LB](#) - Approved (01/08/1996)
Installation of new extractor unit with stainless steel flue pipe.

[P94/V1187/COU](#) - Approved (14/11/1994)
Change of use of first and second floors from residential to office.

[P88/V1959/LB](#) - Approved (07/11/1988)
Single storey rear extension and alterations to premises. Removal of lean-to extension at rear. 26 Wallingford Street, Wantage,

[P87/V0991/LB](#) - Approved (06/01/1988)
Refurbishment of first floor and change of use from partial office use to full residential. Refurbishment of ground floor including new shop front and counter. Demolition of existing rear extension and replacement with new.

[P87/V0990/COU](#) - Approved (06/01/1988)
Refurbishment of first floor and change of use from partial office use to full residential. Refurbishment of ground floor including new shop front and counter. Demolition of existing rear extension and replacement with new.

5.0 **POLICY & GUIDANCE**

- 5.1 Vale of White Horse Local Plan 2011 policies;

S3 - Secondary shopping frontages

DC5 - Access

DC9 - The impact of development on neighbouring uses

HE1 - Preservation and enhancement: implications for development

HE4 - Development within setting of listed building

HE5 - Development involving alterations to a listed building

6.0 **PLANNING CONSIDERATIONS**

- 6.1 The key consideration in this application is the suitability of the site for hot food take away and late night opening hours.

6.2 *Principle of development*

In this instance, it is noted that there already exists a several other hot food takeaways on the street; a fried chicken outlet, Chinese takeaway, fish and chips shop, pizza outlet. This is typical of a secondary retail parade in a town centre location. The retention of an A1 use, in particular a local traditional butcher is considered to be desirable by officers due to the value this business adds to the range and choice of food outlets for residents. From statements made by the landlord and applicant, the intensification of the takeaway business to include hot food and late night opening hours will ensure that the A1 retail element remains viable as an entity. This application appears to be a novel and innovative alternative to losing a locally popular business whilst also widening choice of take away outlets nearby.

6.3 *Clustering of A5 Uses*

Some neighbour concerns have been expressed regarding the “clustering” of this many businesses along one street potentially leading to litter, noise and other disturbance issues. Policy S3 prohibits a proposal if it would individually, or cumulatively, cause harm to the function, character or appearance of the frontage or the town centre as a whole. In this case, the use will be added to an existing shop and it is not considered that this individual proposal will cause harm.

6.4 *Impact on Neighbours*

It is noted that the Chinese takeaway and chicken shop both state 11.00 pm as their opening hours. The applicant seeks 2.00 am on a Saturday and 12.00 midnight for other days. These hours need to be balanced against the amenity of nearby residents and the practise set for other businesses. A consistent approach to closing times has been taken with other take-away premises in the street, where a closing time of 11pm every night has been imposed in order to strike a balance between commercial viability and neighbours’ amenities. In light of this, the same time should be imposed.

6.5 No objections have been received from highways, licensing or other regulatory body. The town council support the works, subject to a suitable condition relating to an exit flue of cooking exhaust gas. Such a flue will almost certainly listed building consent, and the implications for the special architectural and historic interest of the building will need to be considered at that time. On balance, and through the use of conditions, the application is considered not to overtly cause conflict between the different uses of land in the area, and in doing so, satisfies the provisions of local plan policy S3 DC9 and DC5.

6.6 For the avoidance of doubt and to respond to some concerns from consultees, the issues surrounding the preparation and division of cooked and uncooked meats are not a planning consideration. The applicant will already be licensed and aware of such matters.

7.0 **CONCLUSION**

7.1 This is an innovative application to safeguard an existing A1 use and, subject to appropriate conditions, bring new activity and viability to a listed building within the conservation area. Subject to conditions, the impact on neighbours is acceptable.

8.0 **RECOMMENDATION**

Grant planning permission subject to the following conditions:

- 1 : Commencement 3 yrs - full planning permission
- 2 : Approved plans

Vale of White Horse District Council – Committee Report – 18 September 2013

3 : Restricted hours – hot food take away service to be open between 8.00 am and 11.00 pm Monday to Thursday , 8.00 am to 12.00 midnight Friday and Saturday, 10.00 am to 11.00 pm Sundays.
4 : Scheme of ventilation

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