

**REPORT TO THE NORTHERN AREA PLANNING
COMMITTEE**

Date of Meeting	29th May 2013		
Application Number	13/00846/FUL		
Site Address	8 New Road, Chippenham, Wilts. SN15 1HH		
Proposal	Change of Use from A3 to A5 Hot Food Takeaway		
Applicant	Mr Wordsworth, HPH Ltd., 6 Kingsmead Square, Bath. BA1 2AB		
Town/Parish Council	Chippenham		
Electoral Division	Chippenham Monkton	Unitary Member	Chris Caswill
Grid Ref	391883 173564		
Type of application	Full		
Case Officer	Mrs Emma Pickard	01249 706 637	emma.pickard@wiltshire.gov.uk

Reason for the application being considered by Committee

The application is being presented to the committee at the request of Councillor Caswill to consider the relationship to adjoining properties, environmental/highway impact and the loss of a restaurant opportunity and impact on the health of the commercial area.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

The Chippenham Town Council raise no objections to the application.

2. Main Issues

The main issues in considering the application are:

- The principle of development in relation to policies C3 (development control core policy) and R2 (town centre secondary retail frontage areas) of the adopted North Wiltshire Local Plan 2011; and
- Impact of additional takeaway use on the amenity of the area.

3. Site Description

The property is within the Chippenham town centre secondary retail frontage and is within a small parade of shops which includes two takeaways (nos. 9 and 10). The unit has recently been vacated by the Bridge Brasserie (A3 restaurant and cafe) which has relocated to the former Little George public house. Prior to that, the premises were occupied by a restaurant with ancillary takeaway use.

The site is also within the Chippenham Conservation Area.

4. Relevant Planning History - None

5. Proposal

This application is for change of use at 8 New Chippenham, from A3 (restaurants and cafes) to A5 (hot food takeaways). The applicant states that the premises have been marketed as an A3 use with no success to date but that there has been interest in the property as an A5 use.

The existing kitchen infrastructure will be used. The existing restaurant is equipped with extract ventilation which is at the rear of the property on a flank wall to a central courtyard and is then ducted to roof level.

The applicants are proposing the hours of use to be; Monday – Friday 10:00-00:00, Saturday 10:00-01:00 and Sundays and bank holidays 10:00-00:00.

A separate advertisement consent would be required for any new fascia signage.

6. Consultations

Chippenham Town Council has no objections.

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation. No representations were received.

8. Planning Considerations

The proposal is within a Town Centre Secondary Frontage Area. The secondary shopping frontage designation (NWLP policy R2) extends over a large area from the bridge up to Langley Road and across to Hathaway Retail Park and Station Hill. In summary, the policy states that proposals for food premises (along with other A, D1 and D2 uses) will be permitted within the defined town centre secondary frontage areas of Chippenham provided that they;

- a) Do not individually or cumulatively undermine the vitality or viability of the town centre;
- b) The proposal is consistent with the scale and function of the town centre;
- c) Consideration is given to ensuring that proposals do not eliminate separate access arrangements to the upper floors, which could be used for residential, community or employment uses.

Whilst there would be a concentration of takeaway uses in this small row of units, there are a mix of uses in the surrounding area which includes a public house, charity shops, retail shops, financial offices and some takeaway premises. It is considered that, overall, the addition of an A5 use in this location would not be harmful to the vitality or viability of the town centre and would not lead to an overconcentration of takeaway facilities within the town centre.

The existing restaurant use has no time restrictions to its opening hours. In 2000, permission was granted for the change of use of no.7 New Road to a fast food takeaway. The hours of use were limited to 09:00 to 11:30 on any day. These opening hours are similar to those now proposed at no.8 (although the proposal is for a slightly later closing time). The existing takeaways at nos. 9 and 10 New Road have no opening hour restrictions. In this context, and having regard to the existing use, it is considered that the proposed opening hours would be acceptable.

With regard to impact on amenity, it is noted that there is an existing ventilation extract which will be used by the new occupants. In terms of the potential for noise and disturbance, in the context of the unrestricted existing use of the building and adjacent uses, it is considered that it would not be reasonable to refuse the application on this basis.

9. Conclusion

The proposed use would not be individually or cumulatively harmful to the vitality or viability of the town centre or to the existing amenity of the area.

10. Recommendation

Planning Permission is GRANTED for the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development.

The proposed A5 use would not undermine the vitality or viability of the town centre and would not be unduly harmful in terms of the impact on the amenity of the area.

Subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

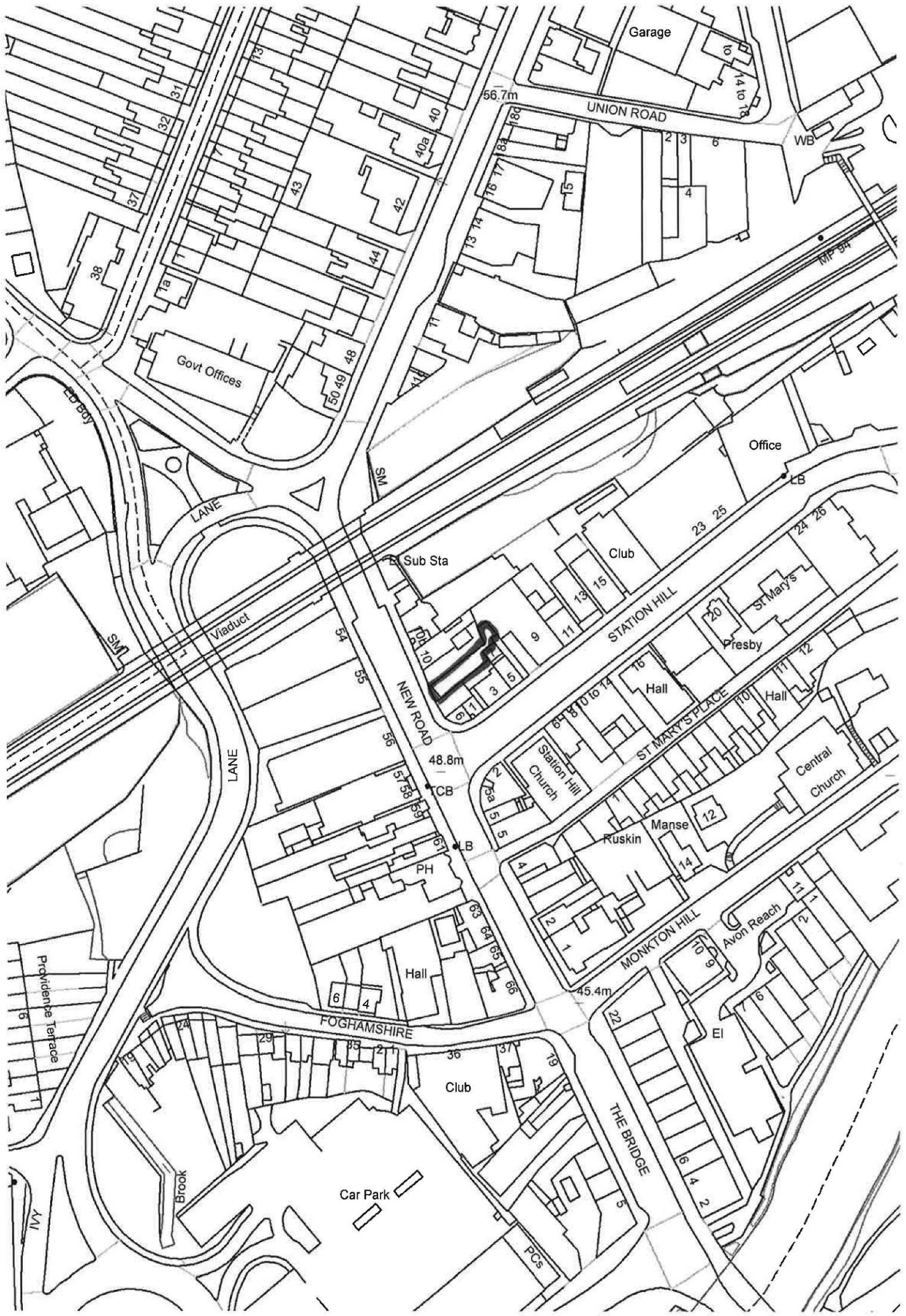
2. The use hereby permitted shall only take place between the hours of 10:00-00:00 Monday to Friday, 10:00-01:00 Saturday and 10:00-00:00 Sundays and bank holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

3. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Ground floor plan scale 1:200 dated 20th March 2013.

REASON: For the avoidance of doubt and in the interests of proper planning.



Garage

UNION ROAD

Govt Offices

Office

Sub Sta

Club

STATION HILL

St Mary's

Presby

ST MARY'S PLACE

Station Hill Church

Central Church

Ruskin

Manse

MONKTON HILL

Avon Reach

FOGHAMSHIRE

THE BRIDGE

Car Park

PCs

56.7m

48.8m

45.4m

LANE

LANE

Via duct

NEW ROAD

Brook

Providence Terrace

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WB

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