

APPLICATION NO.	P17/S1339/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	5.4.2017
PARISH	THAME
WARD MEMBER(S)	Jeannette Matelot David Dodds Nigel Champken-Woods
APPLICANT	Wildwood
SITE	4-5 Upper High Street THAME, OX9 3ES
PROPOSAL	Subdivision of existing retail unit, and use of Unit A for mixed A1/A3 purposes and Unit B for A1 purposes.
OFFICER	Simon Kitson

1.0 INTRODUCTION

1.1 This application is recommended for approval under delegated powers. As it is an 'other' application i.e. for a change of use with no operational development, an objection from the Town Council does not trigger an automatic committee referral. This has been discussed with the local ward member.

1.2 The existing property at 4-5 Upper High Street, Thame is a Grade II Listed C18 building with C19 and C20 century alterations. The premises is currently in use as a retail unit (Use Class A1). The site falls within the Primary Retail Frontage of Thame town centre and it is locally wholly within the Thame Conservation Area.

2.0 PROPOSAL

2.1 As detailed in the application submission, consent is now sought for the change of use of the ground floor, to accommodate a mixed A1/A3 use, comprising a delicatessen and restaurant, with a retail unit towards the rear.

2.2 No internal or external changes to the building are currently proposed. These would be the subject of further listed building, planning and advertising applications (as applicable) if consent is granted for the change of use.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Thame Town Council – Objection

- There would be a loss of A1 retail space.

Thame Cons.Area Advisory Comm. - No strong views

- The Committee hoped that the frontage would remain as far as possible unchanged

Economic Development (SODC) - No strong views

- key priorities for Thame include the retention of independent retailers and identification of opportunities to support incoming, suitable retailers.
- the current (or any future) tenant of 'Unit B', not having the same level of frontage could struggle to attract custom.
- the Council has identified the importance of A3 and leisure facilities in town centres
- the proposal should comply with the relevant Neighbourhood Plan policy regarding retail uses

Conservation Officer (South) - No strong views

- I have no objection to the principle of this. However, the application has not been supported by a listed building consent to provide a solid partition between the units and no assessment has been done of the listed building to ensure that the proposed location of subdivision is appropriate.
- it should be clear that the proposed floor plan is not approved as there is no listed building consent to change the layout of the building or erect a partition

Health & Housing - Food Safety - No strong views

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P12/S0740/RLB](#) - Approved (27/06/2012)

Traditional underpinning of void to front of property.

[P84/N0641/LB](#) - Approved (31/01/1985)

Demolition of sub-standard buildings and construction of extension to provide toilet accommodation, larger workroom, coldroom and office. (As amended by drawing accompanying agent's letter dated 4 January 1985).

[P80/N0621/LB](#) - Approved (09/01/1981)

Demolition of sub-standard workroom at rear. Alterations and extensions to provide additional shop area and new workroom on ground floor with additional living accommodation over.

[P74/N0176/LB](#) - Refused (26/09/1974)

Convert existing shop to form extension to adjacent shop. Convert flat over to extend adjacent small office accommodation.

[P73/M0106](#) - Approved (14/08/1973)

Alterations and extension to provide additional showroom at first floor level.

[P73/MLB15/LB](#) - Approved (16/07/1973)

Alteration and extension to provide additional showroom at first floor level.

[P73/MLB04/LB](#) - Refused (05/04/1973)

Alterations and extension to provide additional showroom at first floor level above recently constructed ground floor extension.

[P72/M0043](#) - Approved (25/02/1972)

Change of use to showroom on the first floor.

[P69/M0399](#) - Approved (24/07/1969)

SHOP & OFFICES.

[P66/M0885](#) - Approved (20/01/1967)

Alterations to shop front. Access.

5.0 **POLICY & GUIDANCE**

5.1 Thame Neighbourhood Plan (TNP) policies;

WS2 - Retain and enhance primary and secondary retail frontages

WS7 - Retain small scale employment in the town centre

WS10 - Encourage a diverse range of uses in the town centre by supporting new office and retail uses on upper floors

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ESDQ15 - Developers must demonstrate in a Design and Access Statement how their proposed development reinforces Thame's character

ESDQ16 - Development must relate well to its site and its surroundings

ESDQ20 - Building style must be appropriate to the historic context

5.2 South Oxfordshire Core Strategy (SOCS) Policies;

CSEN3 – Historic Environment

CSEM1 - Supporting a successful economy

CSEM4 - Supporting economic development

CST1 - Town centres and shopping

5.3 South Oxfordshire Local Plan 2011 (SOLP 2011) policies;

CF3 - Retention of shops

TC2 - Development in town centres

TC8 - Change of use between shop to non shop use

CON3 - Alteration to listed building

CON7 - Proposals in a conservation area

CSQ3 - Design

D1 - Principles of good design

D10 - Waste Management

G2 - Protect district from adverse development

TSM1 - Tourist industry

TSM3 - Conversion of existing buildings to tourist faculties, pub and restaurants

TSM4 - New hotels, pubs and restaurants in the built up area

5.4 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

5.5 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in this application are as follows:-

- Whether the principle of the proposed change of use is acceptable
- Whether there would be a harmful impact upon the special architectural or historic interest of the listed building, its site or the wider conservation area
- Whether there would be a harmful impact upon neighbouring amenity or the local environment
- Whether the proposal would be prejudicial to highway safety
- Any other issues

Principle of change of use

6.2 Policy WS2 of the TNP and Policy TC8 of the SOLP restricts changes of use of shops (Class A1) to a non-retail uses within the Primary Retail Frontage (PSF), if the proposed use would undermine the vitality, viability, and the dominant retailing character and function of the town centre. Nevertheless, the council does also recognise that other uses make their own positive contribution to vitality and viability and it does have a generally permissive stance with regard to changes of use to restaurants and bars, provided that there is no conflict with other Development Plan policies.

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- 6.3 Policy WS2 accepts alternative uses within Use Class A2-A5, subject to the resultant length of non-A1 uses not exceeding more than 35% of the PRF. The agent maintains that that the proposal would not conflict with the limits established under WS2.
- 6.4 It is noted that there has been disagreement over the method for calculating the percentage of non-retail uses within the length of the primary shopping frontage, in terms of whether the number of units or linear dimensions are applicable. This has not yet been resolved. Nevertheless, officers note that this proposal would retain an A1 use towards the rear of the building and a mixed A1/A3 at the Upper High Street frontage, which is intended to be occupied by the Wildwood Restaurants Group. If the use were to include a delicatessen/ sandwich shop at the front, then this would also be broadly consistent with the retail uses set out under the Town and Country Planning Use Classes Order.
- 6.5 Even if the council were to take the view that this proposal would increase the percentage of non-retail uses within the PRF beyond 35%, officers are satisfied that the mixed A1/A3 use proposed would have other material economic benefits, particularly with regard to the vitality of the town centre within the evening. This is supported by the 2014 DTZ report commissioned by the council: 'The Changing Face of the High Streets - South Oxfordshire's town centres' which places particular emphasis upon the importance of A3 and leisure uses as supporting the primary retail function of the high street. On balance, officers consider that the proposal would support, not undermine the dominant retail character of the town centre.

Impact upon the conservation area and listed building

- 6.6 This aspect of the proposal has been discussed with the council's conservation team and officers are satisfied that the proposed use would not impact upon the overall character and appearance of the Thame Conservation Area. Furthermore, there is no suggestion that the proposed use would detract from the special architectural and historic interest of the listed building or its setting.
- 6.7 It is important to note that no operational development i.e. external alterations to the building, are proposed under the current application. These would require further consent and any significant internal works, including the erection of partitions separating the two units, would require listed building consent. There can be no automatic assumption that this would be granted, irrespective of the outcome of this application.

Amenity considerations

- 6.8 This is a use entirely consistent with a town centre location. Officers are satisfied that the proposed use would not result in adverse neighbour impact.

Highway Safety and Other Issues

- 6.9 This is a sustainable town centre location and the council is satisfied that there would not be a harmful highway impact. The agent has demonstrated that there is adequate space within the confines of the property to accommodate refuse bins.

7.0 CONCLUSION

- 7.1 The proposal complies with the relevant development plan policies and national planning guidance. The council is satisfied, on balance, that the proposed use would

not undermine the vibrancy or commercial vitality of Thame town centre or result in a loss of employment. The proposal is also acceptable in terms of the impact upon the wider conservation area and the special architectural and historic interest of the listed building, subject to the acceptability of a subsequent listed building consent application. The council is also satisfied that the proposed use would not result in a harmful impact upon neighbouring amenity or highway safety.

8.0 RECOMMENDATION

Grant Planning Permission, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
2. That the development hereby approved shall be carried out in accordance with the details shown on the approved plans
3. Unless otherwise agreed in writing by the Local Planning Authority, all refuse and waste relating to the proposed units shall be stored within the building or in the location shown on the approved site plan ref: P101A.

Informative:

The building to which this planning permission relates is a statutorily listed building. This permission does not authorise any internal or external works which would affect the building's historic or architectural character. This includes the removal or alteration of internal or external features such as windows, doors, fireplaces, staircases, chimneys, wood panelling and decorative plasterwork. Such works will require a separate grant of listed building consent, and to carry out such works without first obtaining listed building consent is a criminal offence.