

## GUIDELINES FOR NEW DEVELOPMENT

### 7. PREMISES USED FOR THE SALE OF HOT FOOD

- 7.1 The sale of hot food whether for consumption on or off the premises is an important component of the shopping environment.

Reference is made in **paragraphs 8.28 and 8.29 of the Oadby and Wigston Local Plan** about the location of food and drink uses and to the need for these uses not to become over-concentrated within shopping streets. However, these uses can also give rise to disturbance and the adverse effects may include fumes and smells, hazards to road safety, and noise - often late at night. In circumstances where premises adjoin residential properties (including to the rear), the loss of residential amenity can be severe. For this reason, the Council would normally wish to see premises for the sale of food and drink including hot food take-aways (A3 uses) confined to the primary shopping areas where the adverse impact is lessened. However, in exceptional circumstances, it may be possible for these stringent standards to be met in other shopping areas. Reference should be made to **Shopping Proposal 9 in the Local Plan**.

It is important for these uses, which include cafes, hot food take-away shops and restaurants, to be developed in such a way that the amenities of adjoining or nearby residential properties are not adversely affected by noise, smell or late hours of opening. Cooking fumes will need careful treatment and dispersal, and litter in the environs of a hot food shop should be prevented as far as possible by the provision of adequate litter bins.

In order to protect the amenities of the surrounding area, it may be necessary to restrict the hours of opening of a proposed food and drink use. Even within the primary shopping areas, some premises may be closely adjoined by residential properties and therefore unrestricted opening would be inappropriate. In deciding to grant planning permission for cafes, hot food take-away shops and restaurants, the Local Planning Authority will consider the need to impose conditions restricting opening hours on the following basis:

- within primary shopping areas 0800-2300 Mon-Sat
- at the edge of the primary shopping area where there are adjoining residential properties 1700-2300 Sunday
- secondary shopping areas and local shopping parades 0800-2230 Mon-Sat  
no opening Sunday

Although food and drink uses are not over-represented as a whole, in either of the Oadby or Wigston town centres, the Borough Council is concerned to ensure that localised concentrations of these uses do not come to dominate the street scene. By their nature these uses are rarely open during the whole of the day and, therefore, they generally form a break in the shopping frontage. In Wigston, these uses are over-represented on the west side of Leicester Road, between the Bell Inn and Victoria Street. In addition, this section of the primary shopping area closely adjoins residential properties to the rear and there has been a cumulative impact on the amenities of these residents.