

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

APPLICATION NO:
P/2019 /0522

LOCATION:
10 HILL STREET WREXHAM
LL11 1SN

DATE RECEIVED:
11/07/2019

COMMUNITY:
Offa

DESCRIPTION:
CHANGE OF USE FROM FORMER
BANKING HALL TO A3 USE (FOOD
AND DRINK)

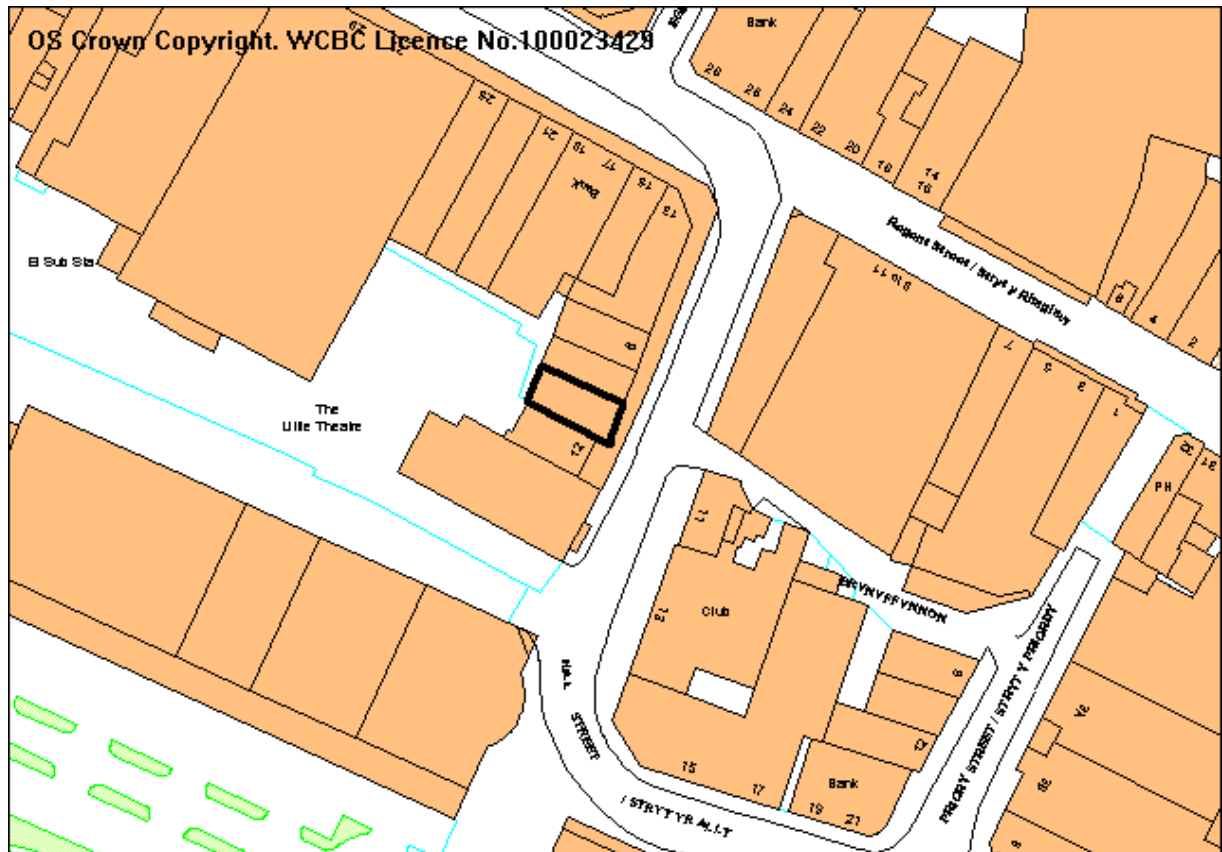
CASE OFFICER:
PF

WARD:
Brynyffynnon

APPLICANT(S) NAME:
MR RICHARD WATKIN
BARDONRICH LTD

AGENT NAME:
JUST-H ARCHITECTS
MR PAUL HARRISON

THE SITE



PROPOSAL

Planning permission is sought for the change of the use of the building from a former bank (A2 use) to an A3 unit for the sale of food and drink for consumption on or off the premises.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

HISTORY

P/2001/0734	Change of use of part of the building from office to educational use. Granted 08/10/2001
P/2002/1101	Erection of 3 pole mounted and transmission dishes. Approval given.
P/2005/0250	Alteration of shop front to comply with disabled access requirements. Granted 07/04/2005
P/2005/0927	Relaxation of condition 3 on planning permission P/2001/0734 regarding hours of opening. Granted 27/09/2005
P/2013/0295	Change of use from A2 use (financial and professional services) to A3 use (restaurant and takeaway). Granted 24/05/2013
P/2016/0397	Installation of new shop front providing single doorway to access ground and first floor levels to form single unit and internal alterations. Granted 27/05/2016

PLANNING POLICY

The site is located inside the Wrexham town settlement limit and town centre boundary. Policies PS2, GDP1, S1 and T8 are relevant. Guidance is contained in Local Planning Guidance Note 16 – Parking Standards.

CONSULTATIONS

Community Council:	No objection providing there is no take-away facility.
Local Member:	Notified 16.07.2019
Site notice:	Expired 13.08.2019
Highways:	Given the sustainable location of the development there would be no objections to the proposed internal seating/eating café. Given the nature of A3 takeaways there would be concern regarding indiscriminate parking, especially at the junction of Brynyffynnon and Regent Street. The proposal would be supported with the imposition of a condition restricting the sale of hot food for the consumption off the premises.
Public Protection:	Recommends the imposition of a condition to approve detail of ventilation and air extraction measures and also control noise levels associated with air handling equipment.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

- Neighbouring occupiers: 3 neighbouring occupiers notified. One response received raising the following comments:
- The remises is unsuitable in scale for a large number of eaters and drinkers;
 - As WCBC Highways have suggested, there is a lack of off street parking congestion. The car park to the rear is for the sole use of Grove park Theatre outside of shopping hours. This will cause parking congestion and delivery problems;
 - There are no facilities for the disposal of food and drink waste products – the existing modest paper waste facilities cannot be relied upon and there are no proposals for the disposal of trade waste;
 - The proposed hours are excessive and will impact theatregoers entering and leaving the theatre;
 - Hill Street is heavily littered;
 - There has been no consultation with the neighbouring occupiers;
 - Odour will be intolerable; and
 - Preparation of hot food in small space will lead to a fire risk.

SPECIAL CONSIDERATIONS

Policy: The site is the subject of a long planning history which relates to the ground and upper floors. Whilst the unit is now vacant, I am satisfied the previous known use related to a financial and professional service which falls within use class A2.

The principle of the change of use is acceptable. Whilst the site is located in the Wrexham town shopping area, it is not identified as a principal shopping street defined in UDP policy S1. I am therefore satisfied that the change of use to A3 would not have an adverse impact upon the character, vitality and viability of the area.

Highways: The change of use of town centre commercial units to A3 is generally acceptable. However, left unrestricted to allow for hot food for consumption off the premises can be detrimental to highway safety because of indiscriminate parking. Whilst High Street is the subject of a Traffic Regulation Order to prevent indiscriminate parking, there remains temptation for potential customers to do so and I concur with Highways that this could lead to detriment especially given the high pedestrian traffic, nearby

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

pedestrian crossing location and junction positions. I therefore consider that any approval should be subject to a standard planning condition which prevents the building being used for takeaway purposes.

As the site is within the town centre, any visitor to the site would be likely to be in the establishment for longer periods. It is highly likely that those who drive will park sensibly in existing town centre car parks.

Amenity: Concern has been raised that the use of the building for a food and drink establishment would be inappropriate because of its scale and its compatibility with neighbouring land uses. I am satisfied that the town centre location of the development would be appropriate without having any detrimental impact upon the neighbouring occupiers.

To the south is the entrance staircase to Roxburgh House, effectively the office floor space above the application site and beyond this the box office for Grove Park Theatre. To the north is a run of existing retail spaces. Across the road from the site are other similar A3 uses. Whilst the nearby theatre has raised concerns regarding the impact of the proposed hours of operation, odour and noise control, there is no specific evidence before me to suggest that such a use in the town centre would represent any particular impact beyond other similar established uses. I am not convinced by any argument offered by the theatre that its operation would be hampered by the proposed development.

Conclusion: I am satisfied that the proposal will result in a positive reuse of a vacant town centre commercial unit. The proposal will not have an adverse impact upon the existing retail offer of the town centre, being located off a principle shopping street, and is likely to complement existing uses. I therefore recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered AP.01, AL01 and AV01 and as contained within the application documentation.
3. The premises shall not be used for any purpose within Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), other than as a restaurant, cafe or public house. For the avoidance of doubt, no hot food or drinks shall be sold for consumption off the premises.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

4. No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, noise levels and its appearance and finish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
 2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
 3. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
 4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
-