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Wrexham LL11 1LG

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wrexham
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Application for Removal or Variation of a Condition following Grant of Planning Permission

Town and Country Planning Act 1990; Historic Environment (Wales) Act 2023

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Details

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 12

Suffix:

Property Name:

Address Line 1: Brook Street

Address Line 2:

Town/city: Wrexham

Postcode: LL13 7LL

Description of site location (must be completed if postcode is not known)

Easting (x): 333377

Northing (y): 350181

Description:

Applicant Details

Name/Company

Title

MRS

First name

GYULBAHAR TODOROVA

Surname

AHMED

Company Name

Address

Address line 1

12 BROOK STREET

Address line 2

Address line 3

Town/City

WREXHAM

Country

Postcode

LL137LL

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

MRS

First name

GULSAH

Surname

MALKOC

Company Name

Gusuu Design and Consultancy LTD

Address

Address line 1

18 Marshall Road

Address line 2

Woolston

Address line 3

Town/City

Warrington

Country

United Kingdom

Postcode

WA1 4BS

Contact Details

Primary number

***** REDACTED ******

Secondary number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Change of use from hairdressers to coffee shop (in retrospect)

In reaching this decision the council has had regard to the relevant policies in the Wrexham Unitary Development plan which are as follows;

GDP1 Development objectives
PS2 Development and the environment
T8 Parking

Particulars of decision that permission be GRANTED
Subject to the following:-

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) dated 24 July 2018 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. For the avoidance of doubt, no hot food or drinks shall be sold for consumption off the premises.
4. Prior to the first use of the development details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish shall be submitted to and approved in writing by the Local Planning Authority. The approved details shell be fully implemented in accordance with an agreed timescale shall thereafter be permanently retained in an effective condition.
5. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

Reason(s)

1. To comply with Section 91 (3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. The site is located on Brook Street, a busy town centre route. To allow food for consumption off the premises will result in a risk of indiscriminate parking by customers to the detriment of highway safety.
4. To protect the amenities of the occupiers of nearby properties.
5. To protect the amenities of the occupiers of nearby properties.

Reference number

WRO P/2018/0610

Date of decision (date must be pre-application submission)

25/09/2018

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 3: The site is located on Brook Street, a busy town centre route. To allow food for consumption off the premises will result in a risk of indiscriminate parking by customers to the detriment of highway safety.

Has the development already started?

◯ Yes
⊘ No

Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed

Our coffee shop operates from 8 a.m. to 6 p.m. To ensure the sustainability of our business within these hours, we request a variation to Condition 3 to remove the restriction on the sale of food and drink for consumption off the premises.

There is increasing demand for takeaway and delivery services, especially due to recent changes in consumer behaviour. Allowing off-premises sales will enable us to meet this demand and continue serving our customers effectively. Expanding our sales to include takeaway options will help improve our business viability, especially during non-peak hours. This will contribute to the long-term sustainability of the business, allowing us to retain staff and support the local economy.

We believe this variation aligns with local planning policies that encourage economic development and support for local businesses. The proposed variation would increase the accessibility of our products to local residents, adding convenience and choice within the community.

We trust that above information's will assist in your assessment of our application. We are committed to operating in a manner that is respectful of the local community and in line with council objectives.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

We request the removal of the restriction regarding the sale of food and drink outside the facility, as specified in 'Condition 3,' and ask for the necessary permission to provide food and drink sales service outside the facility.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

- [x] The agent
- [ ] The applicant
- [ ] Other person

Pre-application Advice

Has pre-application advice been sought from the local planning authority about this application?

- [x] Yes
- [ ] No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

ENQ/2024/1157

Date (must be pre-application submission)

02/01/2025

Details of the pre-application advice received

The outcome explanation of the result document provided regarding our pre-advice application numbered ENQ/2024/1157 is as follows. Additionally, the document numbered ENQ/2024/1157 will also be submitted as an attachment to this application for your review.

The outcome explanation of the document numbered ENQ/2024/1157 is as follows:

While the principle of the variation of condition 3 to include the sale of food and drink to be consumed off the premises would be acceptable in principle, it would be necessary to demonstrate that the proposal would not give rise to issues of highway safety in order for the proposal to be supported.

The advice is based on the planning policies, guidance and circumstances that apply at the time of this response. This advice may not be relevant may should policies or circumstances change before a formal planning application is submitted. You should also note that the above comments are the informal views of an Officer of the Council and do not commit the Council in the determination of any formal planning application.

Ownership Certificates

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Please answer the following questions to determine which Certificate of Ownership you need to complete: A,B,C or D.

Are you the sole owner of ALL the land?

- ☑ Yes
- ○ No

Certificate of Ownership - Certificate A

I certify/the applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least seven years left to run) of any part of the land or building to which the application relates.

Person Role

- ○ The Applicant
- ☑ The Agent

Title

MRS

First Name

GULSAH

Surname

MALKOC

Declaration Date

28/01/2025

☑ Declaration made

Agricultural Holding Certificate

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Agricultural land declaration - you must select either A or B

- [x] (A) None of the land to which the application relates is, or is part of an agricultural holding
- [ ] (B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below

Person Role

- [ ] The Applicant
- [x] The Agent

Title

MRS

First Name

GULSAH

Surname

MALKOC

Declaration Date

28/01/2025

- [x] Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

- [x] I / We agree to the outlined declaration

Signed

GULSAH MALKOC

Date

30/01/2025