

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 8 JANUARY 2024

APPLICATION NO:
P/2023 /0685

LOCATION:
BUTCHERS SHOP MOUNTAIN
STREET RHOSLLANERCHRUGOG
WREXHAM
LL14 2LG

DATE RECEIVED:
13/09/2023

COMMUNITY:
Rhosllanerchrugog

CASE OFFICER:
AB2

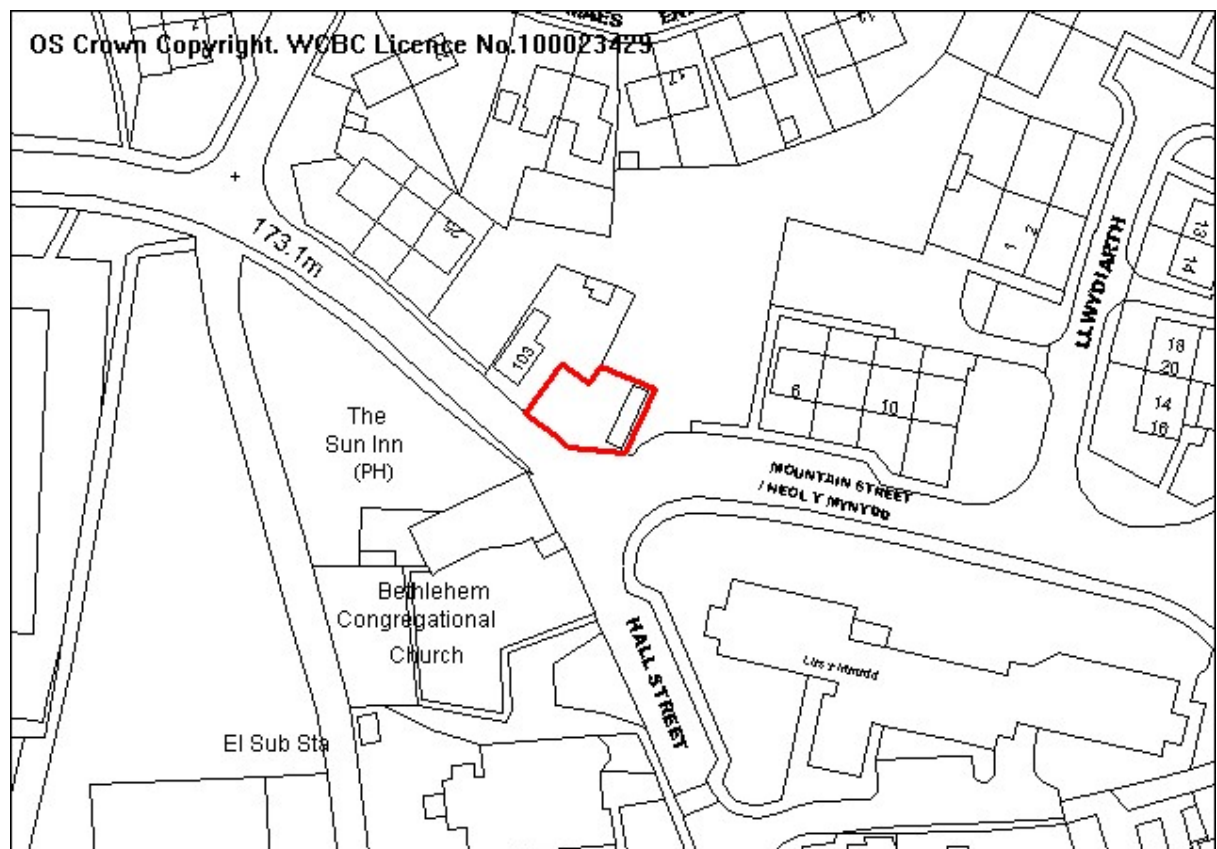
WARD:
Rhos

DESCRIPTION:
A1 (SIOP) I DDOSBARTH A3 (BWYD
A DIOD) / CHANGE OF USE OF
BUILDING FROM CLASS A1 (SHOP)
TO CLASS A3 (FOOD AND DRINK)

AGENT NAME:
MR JACK COESHOTT

APPLICANT(S) NAME:
MR JACK COESHOTT

THE SITE



PROPOSAL

The lawful use of the site is A1. The last known use was a butchers shop. The application proposes the change of use from A1 (Shop) to A3 (Food and Drink).

RELEVANT HISTORY

No relevant planning history.

DEVELOPMENT PLAN

Local Development Plan Policies
Policies SP13 and DM1.

CONSULTATIONS

Community Council
No comments received.

Local Member
Raises no concerns at this stage.

Highway Officer
The site accesses directly onto the existing mini-roundabout at the above junction and is in an awkward location to serve a development of this nature. Visibility from the existing access/car park serving the site is inadequate in both directions. Visibility in the north westerly direction along Hall Street is approximately 2.4 x 9m measured to the nearside edge. Visibility is restricted in this direction in that the required visibility splay would need to cut across 3rd party land. Visibility in the easterly direction along Mountain Street is approximately 2.4 x 18m measured to the centreline of the adjoining highway. Visibility is impeded in this direction by the existing building which is sited in close proximity to the adjoining highway. The existing dropped kerb accesses directly onto the existing roundabout. Pedestrian access to the site is poor and there is no continuous footway. Developments of this nature have potential to attract a high proportion of car borne and short stay customers which, without adequate accessible parking, can affect traffic flow and road safety. Often there is an increased occurrence of indiscriminate parking and interruption to the steady flow of traffic along the adjoining highway. Customers are typically tempted to park for short periods close to the premises, often jeopardising the safety of other road users and pedestrians. The parking provision is adequate.

Betsi Cadwaladr University Health Board
This proposed application sits on Mountain Road, Rhosllanerchrugog, Wrexham, LL14 2LG and number of hot food takeaways / restaurants selling predominantly food and drinks high in fat, salt and sugar are already within the immediate surrounding (within half a mile of the application). The application site is within 400m of two schools in conflict with LPGN09.

Neighbours
Eighty one letters of support have been received in relation to the proposed development in relation to the following reasons;

- There are lay-bys in the surrounding area which allow for safe parking;
- Good to see the vacant shop being used;

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- Created jobs;
- Supports small and local enterprises.

One letter of objection has been received from a neighbouring property in relation to the following;

- Impact on residential amenity in particular neighbouring dwellings;
- Nuisance including rowdiness, car doors slamming, anti-social behaviour;
- Waste management;
- Highway safety concerns;
- Parking problems;
- Proposal is contrary to the healthy eating and being more active strategy; and
- Impact on trees.

SPECIAL CONSIDERATIONS

Principle of Development: Policy SP2 of the Local Development Plan states that new development should be directed to defined settlement limits and employment areas as identified on the proposals map. Rhosllanerchurigog is identified as a tier two key settlement within the LDP. Given the above, it is considered that the principle of the proposed development is acceptable.

The key issues for consideration are impact on residential amenity, highway safety and health and wellbeing.

Residential Amenity: Concerns have been raised by local residents that the change of use of the property would increase anti-social behaviour and result in highway safety issues.

The Council's Public Protection Officer has raised no concerns in regard to the proposal and has recommended a standard suite of conditions in relation to grease traps, extraction details and noise generation. It is noted that neighbours have raised concerns in regard to anti-social behaviour. However, subject to a suitably worded condition to restrict the hours of use to those proposed, the development would not adversely impact upon the standard of amenity afforded to occupiers of the neighbouring properties

Given the above, it is considered that the proposed development accords with LDP Policy DM1.

Health and Wellbeing: Policy SP13 of the Local Development Plan states that all development should seek to reduce health inequalities and provide opportunities for healthy lifestyles and improving health and well-being, including mental health, by addressing the physical, economic and social determinants of health.

It is recognised that although hot food takeaways can provide a popular service and source of employment to local communities, they can have a

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detrimental impact upon residential amenity and community health. Such harmful impacts can include litter, odour, anti-social behaviour, noise and general disturbance, parking and traffic problems and longer term health impacts.

The proposed development is within 400m of Ysgol Maes Y Mynydd however, this is a Primary School and students are not normally permitted off site unaccompanied during the day. Whilst the business would be open whilst children are on their way home from school, the majority of primary aged pupils do not travel to/from school unaccompanied so are unlikely to be able to make unsupervised purchases of fast food. Nevertheless, the proposed takeaway would be within 400m of Secondary Ysgol y Grango (approximately 320m). This is contrary to LPGN 09 which seeks to limit longer term health impacts.

On balance, it is considered that the proposed development conflicts with LDP Policy SP13 and LPGN 09.

Highway Safety and Parking: Wrexham LDP Policy DM1 (vi) states that development proposals must not give rise to highway safety, pedestrian safety or parking problems on site or in the nearby locality.

The Council's Highway Officer raises objections to the proposed development.

The site is accessed directly onto a mini-roundabout at the junction of Hall Street and Mountain Street. Visibility splays in the north westerly direction along Hall Street is approximately 2.4 x 9m. The required splay of 2.4 x 25m would cut across 3rd party land. Visibility is impeded to the easterly direction by the existing building which is sited in close proximity to the adjoining highway. The Council's Highway Officer explains that although the application property benefits from three on-site parking spaces the proposed use is likely to attract a higher proportion of car borne and short stay customers than the current A1 use, which in turn, is likely to result in an increase in indiscriminate parking, and interruption to traffic flow. To note the Highway Officer has confirmed that a serious road traffic collision involving 2 vehicles and 5 casualties recently happened immediately adjacent to the site.

Having regard to the above, it is considered that the proposal would result in significant highway safety concerns and fails to accord with LDP Policy DM1 and LPGN 09.

Phosphorous: The site connects to the public sewerage network which in turn drains to the Five Fords WWTW. The Environmental Permit for the WWTW has recently been reviewed. Having regard to the above and bearing in mind the lawful use of the site, it is considered unlikely that the proposed development would materially increase the amount of phosphorous entering the SAC and therefore it is not likely to have a significant effect on the SAC.

RECOMMENDATION: That permission be REFUSED

REASON(S)

1. The proposed development would cause an unacceptable impact upon highway safety, contrary to Wrexham Local Development Plan Policy DM1.
 2. The proposed development would be located within 400m of two schools and as such, causes an unacceptable impact upon the health and well-being of surrounding residents, contrary to Local Development Plan SP13 and Local Planning Guidance Note 09 in relation to Hot Food Takeaways.
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