

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING 3 JULY 2023

APPLICATION NO:
P/2023 /0155

LOCATION:
UNIT H PLAS COCH RETAIL PARK
PLAS COCH WREXHAM
LL11 2BA

DATE RECEIVED:
07/03/2023

COMMUNITY:
Rhosddu

CASE OFFICER:
SEH

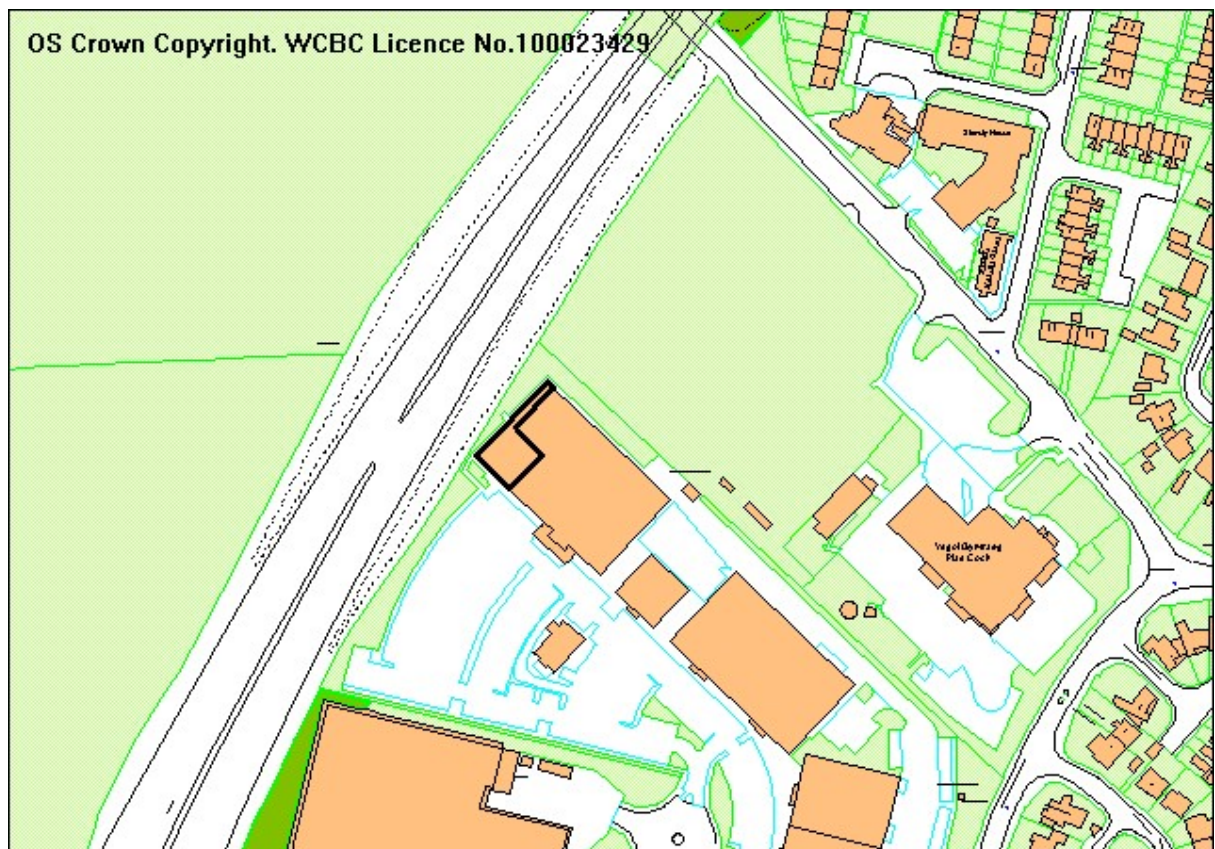
WARD:
Grosvenor

DESCRIPTION:
NEWID DEFNYDD O A1 I A3 (BWYD
A DIOD) NEU D2 (MANNAU
YMGYNNULL A HAMDDEN) /
CHANGE OF USE FROM A1 TO A3
(FOOD AND DRINK) OR D2
(ASSEMBLY AND LEISURE)

AGENT NAME:
QUOD
MR WILL TUCKER

APPLICANT(S) NAME:
MR WILL TUCKER
QUOD

THE SITE



PROPOSAL

As above

PLANNING HISTORY

P/2018/0384	DRIVE THRU COFFEE SHOP, PLAS COCH RETAIL PARK, PLAS COCH, WREXHAM. Granted 01/10/2018
P/2022/0102	DEMOLITION OF UNIT F AND REPLACEMENT WITH ADDITIONAL CUSTOMER CAR PARKING. Granted 29/6/2023
P/2022/0251	UNIT H - REMOVAL OF CONDITIONS 4 AND 5 (USE RESTRICTION) OF PLANNING PERMISSION P/2006/1144. Granted 29/06/2022
P/2022/0252	UNITS B, D AND H - VARIATION OF CONDITIONS 9 AND 18 OF PLANNING PERMISSION CB00421 (AS AMENDED BY PLANNING NON-MATERIAL AMENDMENT P/2022/0101) TO VARY SERVICING TIMES AND USE RESTRICTIONS. Granted 29/06/2022
P/2022/1009	UNIT H - INSTALLATION OF NEW SHOPFRONT, NEW CLADDING TO ALL ELEVATIONS, ERECTION OF REAR LOADING BAY, EXTERNAL PLANT AND TROLLEY BAYS. Granted 20/01/2023

NATIONAL POLICY

PPW11, specifically Para. 3.19 'Promoting Healthier Places' is relevant.

DEVELOPMENT PLAN

The site is inside the Wrexham Town Centre settlement. UDP Policies T8 and GDP1 and LDP Policy SP13 apply. LPGN 16 'Parking Standards' refers.

CONSULTATIONS

Community Council

Consulted 11/04/2023. No comments received.

Local Member

Notified 11/04/2023. No comments received.

Highway Officer

Consulted 17/04/2023. No comments received.

Public Protection Officer

No objections subject to standard planning conditions relation to noise restrictions, food hygiene regulations, odour and grease traps.

Natural Resources Wales

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No objection. Recognising the specific nature of the application likely serving users from within the catchment area of the SAC, we are satisfied that it is unlikely to increase the amount of phosphorus entering the SAC.

Welsh Government – Trunk Road

Does not issue a direction. The applicant should be advised that any drainage proposals should be discussed with the Trunk Road Agent regarding riparian ownership of the watercourse that flows from the trunk road boundary to the adjacent car park.

Betsi Cadwaladr University Health Board (HB)

The HB would welcome consideration of:

- 'Healthy Weight: Healthy Wales' strategy which aims to create food environment's where healthier food and drink is widely available.
- The 'Well-being of Future Generations Act' which requires consideration on long term impact upon health.
- NIHCE which recommends limiting the number of fast food outlets; and
- Eatwell Guide to reduce the use of salt and or sugar.

The site is close to a number of educational settings within a 0.7 miles / 15 min walk of the site. Increased access to unhealthy food retail outlets can be associated with increased weight and there are already 2 other restaurants at the retail park, selling predominantly food and drink high in fat, salt and sugar.

Neighbours

The owners/occupiers of 5 nearby properties notified 17/04/2023. No comments received.

SPECIAL CONSIDERATIONS

Background: Proposed the change of use is from Class A1 (retail) to Class A3 (Food and Drink) and/or Class D2 (Assembly and Leisure). This unit previously formed part of Unit H which housed non-food retail along with a gym and ancillary café. A large part of the building has recently changed to food retail. This application would provide for the remainder of the unit to be used for café/restaurant or leisure purposes.

Given the location of the site within an established retail area, there is no objection in principle the provision of a leisure facility (Class D2) use, particularly having regard to the past uses of the site. With regards to a Class A3 use, the main issues for consideration are the potential health impacts and highway safety.

Health and Wellbeing: The proposed development would not be a fast/hot food takeaway. A suitably worded condition could be imposed to ensure hot food is not sold for consumption off the premises.

It is also of note that the neighbouring former 'Frankie and Benny's' restaurant has recently been demolished, so the proposed development would not result in a net increase in restaurant provision within the retail park.

There are no specific UDP or draft LDP policies regarding the density of restaurants. Para. 3.19 of Planning Policy Wales 'Promoting Healthier Places' does set out the important role the planning system has in promoting the Healthier Wales goal. However this seeks to promote measures to reduce health inequalities by enabling opportunities for outdoor recreation and promoting active travel etc. rather than restricting numbers of food outlets.

Whilst the proximity of Plas Coch primary school is noted, the children do not leave school at lunchtime. Children are also likely supervised by parents/guardians on their journey to and from the school, who would be able to regulate the food choices should they choose to take the children to the proposed restaurant/café. Adults attending the nearby university are responsible for making their own food choices, and healthier food and drink options are widely available at the retail park.

Having regard to the above the proposal would not adversely impact upon the health and wellbeing of visitors to the retail park.

Highway safety: The Highway Officer has not commented. The LPGN16 maximum parking provision for the existing use is 17 spaces, compared to 83 for Class A3 use and 22 for Class D2.

Whilst the LPGN16 maximum parking provision for the proposed A3 use implies potential for net additional demand for 66 parking spaces, this must be considered in the context of recent changes elsewhere in the retail park.

The demolition of the former Frankie and Benny's restaurant (Unit G) resulted in a net reduction in commercial floor space within the retail park. The LPGN16 maximum parking provision for the former restaurant would also have been 83 spaces. The unit was replaced by 17 additional car parking spaces. This net result is that the proposed development would not increase overall demand for parking within the retail park.

Having regard to the above, the parking demand associated with the development would not give rise to parking or highway issues in the vicinity. In such terms, there is no conflict UDP policies GDP1 and T8 or LDP policy DM1.

CONCLUSION

The application site lies within an established retail park where there are existing supermarkets, food retail outlets and restaurants/café. These facilities provide a wide range of food and drink options and provide for healthy choices to be made. Given the recent loss of a restaurant close to the site, the proposal would not lead to an increase in restaurant numbers at the retail park. Accordingly there is no reason to conclude that the option of using the building for Class A3 use would lead to an increase in access to unhealthy eating behaviours. Additionally the proposals would not give rise to residential amenity of highway safety concerns.

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 ref: SK230215_06 and as contained within the application documentation.
3. No hot food shall be sold / provided for consumption off the application premises known as Unit H, Plas Coch Retail Park.
4. Prior to first use of the development within Use Class A3, a grease trap shall be provided in order to prevent entry into the public sewerage system of matter (cooking fats, oils and grease etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents. The grease trap shall thereafter be permanently retained in a working condition.
5. No part of the building shall be used for a purpose falling within Class A3 of the Town and Country (Use Classes) Order 1987 (or in any equivalent Class in any order revoking, re-enacting that Order with or without modification) until a means of ventilation for the extraction and dispersal of cooking smells has been installed in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the method of construction, odour control measures, appearance and finish and shall have regard to the guidance set out in EMAQ Report - Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Update to the 2004 report prepared by NETCEN for DEFRA). The means of ventilation for the extraction and dispersal of cooking smells shall thereafter be permanently retained in an operational condition.
6. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level 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 Methods for Rating and Assessing Industrial and Commercial Sound.

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. To define the parameters of the development in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. To prevent pollution of the water environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

6. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

Guidance on best management practice for catering outlet for the dispersal of fats, oils, grease and food waste, as issued by Water UK is available by contacting the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 298989 for further advice and information.

You are advised that the premises should comply with the relevant Food Hygiene Legislation, and you are advised to contact Council's Food & Farming Team on foodandfarming@wrexham.gov.uk or 01978 298989 for further advice and information.

Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.
