

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 3 OCTOBER 2022

APPLICATION NO:
P/2022 /0390

LOCATION:
9 TO 11 REGENT STREET
WREXHAM LL11 1SG

DATE RECEIVED:
20/04/2022

COMMUNITY:
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DESCRIPTION:
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MANWERTHU (A1) I GANOLFAN
GEMAU I OEDOLION (SUI GENERIS)
/ CHANGE OF USE FROM RETAIL
(A1) USE TO ADULT GAMING
CENTRE (SUI GENERIS)

CASE OFFICER:
MP

WARD:
Brynyffynnon

AGENT NAME:
MR LLOYD COLLINS

APPLICANT(S) NAME:
MERKUR SLOTS UK LTD

THE SITE



PROPOSAL

As above.

HISTORY

P/2014/0393 CHANGE OF USE FROM RETAIL USE (CLASS A1) TO ARTS CENTRE (CLASS D1) FOR TEMPORARY PERIOD. (IN RETROSPECT). Granted 24.9.2014

P/2014/0740 DISPLAY OF ADVERTISEMENTS

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(2 FASCIA SIGNS, 1 HANGING SIGN AND 1 WINDOW SIGN - ALL NON-ILLUMINATED). Granted 25.11.2014

P/2022/0389 HYSBYSEB AR GYFER 1 ARWYDD FFASGIA AC 1 ARWYDD TAFLUNIO / ADVERTISEMENT CONSENT FOR 1 FASCIA SIGN AND 1 PROJECTING SIGN. Pending

P/2022/0597 ADDASU CYNTAF A'R AIL LLAWR ADIELAD I GREU 24 RHANDY / CONVERSION OF FIRST AND SECOND FLOOR OF BUILDING TO 24 APARTMENTS. Pending

DEVELOPMENT PLAN

Within settlement limit, the town centre shopping area and Wrexham Town Centre Conservation Area. The site also fronts onto a designated principle shopping street. Policies GDP1, EC7 and S1 apply.

CONSULTATIONS

Community Council

Strongly object. These proposals are unacceptable in the High Street. They will not contribute to the regeneration of the town centre by attracting extra people into the town and developing retail opportunities. The proposals for 24 hr opening hours are also unacceptable. There is already anti-social behaviour in the area around MacDonalds and this change of use if approved is likely to exacerbate the ASB problems.

Local Member

Notified 22.04.22

Highways

No objections.

Public Protection

The findings of the Noise Assessment are accepted. Advisory notes recommended regarding noise and construction impacts.

Welsh Water

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. We recommend that a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

We can advise that Five Fords has a phosphate permit. You will need to discuss this matter further with the local planning authority.

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No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Neighbours

The owners/occupiers of 4 nearby properties notified 28.07.22

1 objection received expressing the following concerns:

- Do not think gambling should be encouraged
- Too many people already need help with addictions, money problems without Wrexham giving the go-ahead to a place that will encourage it.

SPECIAL CONSIDERATIONS

Principle of Development: Policy S1 the UDP states that non-retail proposals on ground floor frontages in the principle shopping streets will not be permitted if they have a detrimental impact upon the character, vitality or viability of the area.

In terms of character, the only changes to the appearance of the premises are the changes to signage which are dealt with in the earlier report for P/2022/0389. The proposals will retain the existing shop front and therefore in respect of physical character, the front of the premises will remain in keeping with the character of the retail frontage that it forms part of, thus also preserving the character of the Conservation Area.

Having regard to the character of the immediate locality, no. 15 Regent Street is a short distance away and in the same use as the proposed use of the application site. There is also a bookmakers at no.34. There are a number of non-retail uses on Regent Street and Hope Street including a number of banks and building societies (Class A2) and the McDonald's restaurant (Class A3) at the junction of Regent Street and Edgerton Street.

Despite the non-retail uses, it cannot be said that the proposals will result in an over concentration of this type of use in this part of the town centre. The prevailing character of Regent Street and Hope Street in the vicinity of the application site is predominantly retail in character and will remain so even if the proposed change of use takes place.

With regards to vitality and viability of the town centre it should be noted that the existing unit is currently vacant and therefore makes no contrition to either. Returning a vacant unit to use and the potential for the proposed use to contribute towards footfall within the town centre means the proposals will not detrimentally impact upon the viability and viability of the town centre and as such there is no conflict with Policy S1.

Anti-social Behaviour and Gambling: Whilst noting the concerns expressed by the Community Council and the objector the UDP does not have any specific policies that seek to regulate the number or concentration of uses

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of the type proposed. There are also other non-Planning controls in place to manage such concerns. In dealing with this application, it would be unreasonable for the Council to refuse planning permission where there are other controls in place to regulate the operation of the proposed use.

The premises will be subject to a licence under the Gambling Act 2005. When exercising its functions under the Act, the Council must seek to promote the following three objectives set out in the Act:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The applicants have already applied separately for a licence and this has been granted. The Council, as licensing authority, will therefore have been satisfied that the applicants had demonstrated that the operation of the premises will meet the above objectives. The licencing application was not subject to objections from the Police or Environmental Health. The licence will also be subject to regular monitoring.

In addition to the above, no evidence has been presented by the Community Council to demonstrate that the proposals will cause or exacerbate anti-social behaviour in the town centre and therefore such concerns would not warrant refusal of the application.

The application is accompanied by a noise assessment which demonstrates that the proposed use will not give rise to adverse impacts upon residential amenity if the application (P/2022/0597) for the conversion of the upper floors of the building to residential use is granted.

Phosphorus: The proposed use is likely to generate comparable foul water flows to the existing retail use and as such is unlikely to give rise to an increase in phosphorous entering the River Dee Special Area of Conservation.

CONCLUSION

The application accords with the relevant UDP policies.

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 Block Plan and drawing no. 999-PL-10 Revision 00 and as contained within the application documentation.

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.
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