Planning Appeal

Proposal: Change of use from Retail Unit to Hot Food Outlet

At

Gwersyllt Newsagents, Hope Street, Wrexham, LL11 4HT

Introduction

Gwersyllt Newsagents and Post office has traded from this location for many years however, post offices are not supported by locals as they previously were, with many of their services now possible to conduct online over the internet.

The business has been marketed as a going concern for numerous years. With declining trade, no interest has been shown other than from potential purchasers to alter the use of the unit.

The shop has also struggled to compete oferring corner shop prices since the adjacent Lidl was approved by the local authority and constructed. This has added to the already declining customer base.

Because of these facts the owners of the shop cannot see a future for the unit with its current use, and when approached by a purchaser with a change of use in mind, realised this would be one of the few viable options to prevent the unit going vacant and becoming another empty commercial unit within the county.

Planning Application P/2018/0439

A change of use application was submitted on behalf of the current owners to secure the sale to the new potential owners.

The application was not seen favourably by the local authority, community council or residents. The majority of objections raised where in realtion to how the development would affect the residents within the area. The unit is located within the Gwersyllt District Shopping Centre and is an commercial unit.

The existing shop has no planning restrictions on opening times and could therefore open 24 hours a day, seven days a week.

Reason for Refusal

1.
The development is likely to result in increased levels of noise and disturbance to the detriment of the standard of amenity afforded to the occupiers of neighbouring properties. As such the proposals do not accord with the policy GDP1(f) of the Wrexham Unitary Development Plan.

The reasons within the officers committee report are subjective and based on opinion are are not factual.

The officer states that the timing of activity will change. This is correct as we have confirmed that opening times will be 4pm until 10pm Tuesday to Sunday, closed Monday. It is unlikely households will be sleeping during these times however, this is likely to be the case when newspapers are delivered before the working day for its current use.

Surrounding businesses are also open at these times. The public house opposite remains open till 11.30 and the Lidl with its car park for approximately 100 cars is also open until 10pm each day. While the planning officer recognises these, it is dismissed on the basis of greater separation. The car park is the width of the highway further above, no more than 10m at the closest point.

The reduced hours of the unit are thought to have been welcomed by residents and the planning department. The case officers details that the existing owners, or future owners have the capacity to open later, but this is unlikely to be the case. There is no information available on the likelihood of this, as no parties know at this stage who the occupiers will be, and what their business model will be.

With planning control by way of condition, limiting the opening times, the council can ensure that the relationship of the residential properties within this Shopping District are kept to a minimum.

With car and pedestrian activity detailed above, residents have also expressed concerns regarding the noise from extractor units.

Commercial extractors from Xpelair are available with a rating of 32dB(A) when measured 3m from source.

The noise within an average house equates to 50dB(A). The traffic from the highway to the front of the adjoining properties, the A483 Mold to Wrexham Road would vary between 70-77dB(A), dependant on speed.

Therefore any noise from extractors would be barely audible from in side the house. The rating of 32dB(A) is a similar rating to quiet rural areas, detailed on the decibel scale as very quiet.

The proposed use does not conflict with Policy GDP1(f) as there will no adverse impact on neighbours.

2.

The development is likely increase on-street parking to the detriment of highway safety and therefore does not accord with the policies GDP1(d) and T8 of the Wrexham Unitary Development Plan.

LPG number 9 clearly identifies the criteria which this proposal and the highway impact should be judged against for both pedestrian and road users. These include:

- the existing use of the site;

and

- existing traffic conditions;

The site already generates short stay customers with the newsagent trade. The amount of traffic will be similar with a similar stay period. The enterprise is not offering any facilities for customers to eat on site.

Existing customers and visitors use the parking to the front of the shop as well as the public car park 200m away. There is no evidence that this will change only a suggestion from the case officer that he does not believe people will walk from this car park.

While the applicant has no control where customers will park this is no different from the existing establishment. The highway outside the shop and within the cul-de-sac does not have yellow lines present which suggests that there has been no issues with parking in the area previously.

The highways department have confirmed that the increase in accordance with LPG 16 will be an increase from 4 parking spaces maximum, to 5 parking spaces maximum.

To claim that the proposal will be a potential source of danger to road users, because of 1 extra vehicle, is not an accurate assessment. Especially when these are being judged against maximum standards. The council are interpreting these as minimum standards, as is clear in the case officers committee report, there is no mention that this is a maximum standard, this is the report which has been presented to committee members and is important information which should have been included to allow a fully considered decision on whether this conforms with the policy or not.

Although the council refer to Policy T8, it has not been interpreted correctly.

The policy is clear that for development to be granted planning permission, parking spaces must either be on site or nearby.

The Gwersyllt Shopping Centre is only 200mm away, with public car parking for over 150 cars. I have never visited this car park and witnessed it being fully occupied. It also benefits from a continuous pavement from the car park to the proposal without the need to cross any junctions.

This provides an ideal location for customers to park.

Conclusions

This proposal will allow an existing commercial unit, within the Gwersyllt Shopping District to gain a new lease of life. It will provide locals with an additional facility which is needed in the area. The proposed use will have no more effect on local residences amenity than the existing use, but also enable controls to be brought into place in regards to trading times.

The use of the shop will ensure that the unit is maintained and presented in a clean well kept manner to attract custom which will only ensure that the street scene is maintained and does not allow the unit to become an eye-sore or target for vandals in the area.

Employment will be provided for 2 local residents and will prevent the need for the local community to travel to other nearby villages by vehicle for hot takeaway food.

Therefore I respectfully request that the Inspector grants Planning Permission for this development as I believe this would be in accordance with Wrexham County Councils own development control policies and will be a significant benefit to the area and it's surrounding neighbours rather than an empty unit.

I therefore respectfully request the Planning Inspectorate to consider the points raised in this appeal and grant planning permission for this minor proposal.

Stuart Hatherall

for Blueprint Architectural Services