

WREXHAM COUNTY BOROUGH COUNCIL PLANNING COMMITTEE

MEETING OF 1 OCTOBER 2012

ADDENDUM

This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.

Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chair.

ITEM 4 – DEVELOPMENT CONTROL APPLICATIONS

Page Nos	Community	Planning Ref	Speaker Against	Speaker For
65 – 74	RHO	P/2012/0561		√
80 – 85	WRO	P/2012/0598	√	

PAGES 65 – 74 RHO P/2012/0561

New Foundry Buildings, Gutter Hill, Johnstown, Wrexham

Speaker: FOR – Iain Smith (Representing Applicant)

PAGES 80 – 85 WRO P/2012/0598

58 Penybryn, Wrexham

Speaker: AGAINST - Sean Price (Neighbour)

Consultations

Local Member: shares the concerns expressed by the Community Council and by many local residents about the unsuitability of 58 Penybryn for use as a hot food takeaway and supports the Highways Department in their recommendation that the application should be refused due to the lack of parking.

Local Planning Guidance Note 9 which deals with Hot Food Take-aways, is clear in its advice:

"Development which results in the loss of or significant damage to residential amenity, quality of life, community health, traffic movement or highway and pedestrian safety will not be permitted."

LPG9 also states that "Hot food takeaways tend to attract a high proportion of car borne and short stay customers which, without essential accessible parking provision, can affect traffic flow and road safety. Often there is an increased occurrence of obstructed parking and interruption to the steady flow of traffic along the roads adjacent to these premises. Customers may be tempted to park for short periods to visit takeaway premises, often jeopardising the safety of other road users and pedestrians."

58 Penybryn was used until very recently as a Grocery store. The property consists of a shop unit at ground floor level, with a flat above. The application form incorrectly claims that there is

a layby to the front of the property, and a car park area to the rear with capacity for three or four cars, one light goods vehicle, five motor cycles and ten cycles.

There is however no parking bay to the front of the property. A road traffic order prohibits parking and loading and unloading - on the road and on the pavement - at all times (double yellow line) around the junction, from Ruthin Road to beyond the Swan Public House, including the frontage of number 58. This very busy junction carries a considerable volume of traffic in and out of the town centre at all times of day and night, and clear visibility is essential from Ruthin Road towards town towards Penybryn and Bridge Street. The owners of the Grocery store used to park their van and a car on the pavement for much of the day, blocking visibility, and frequently forcing pedestrians, prams and pushchairs and wheelchairs onto the road to get past.

The parking area behind the shop, accessed from Ruthin Road, is shared with the other three businesses and the flats in the terrace. The small area behind number 58 which will need to be used as the storage area for waste and refuse, is not sufficient to also provide a parking space for the first floor flat, and to cope with a stream of delivery vehicles through the opening hours - which would also have to reverse out onto the busy Ruthin Road through the afternoon peak period and into the evening. These vehicles would therefore inevitably park on the road or on the pavement to the front of the shop - and a great number of customers would also be tempted to do the same. The Police too have expressed their concerns to me about the dangers that the transfer of this business from the town centre to this location would cause.

Highways are absolutely right to recommend refusal due to the lack of parking - in line with the Local Planning Guide.

As the report acknowledges, despite being listed as a District Centre, many people live in the vicinity, and there is strong concern locally about the impact that late night opening will have on the quality of life and residential amenity. Chip shops / other Takeaways in the area close at 9 p.m. on most nights, and 10 p.m. at latest at weekends. Being so close to the Town Centre, Penybryn is unlike most of the other District Centres in the County Borough, and would be better fit the "Local Shopping Parade" description where a 10 p.m. closing time would be considered more suitable. The proposed closing time of 11.30 is considered too late, as it could bring noise and disturbance into the area.

Residents are also worried that as the Penybryn area is not covered by CCTV, and there are fewer evening patrols, parking and traffic flow problems, and noise and disturbance etc. cannot be easily monitored, and breaches would be difficult to enforce. Transferring such problems which are known to exist around Takeaways within the town Centre to more residential areas such as this should be discouraged.

Welsh Water: Recommends drainage conditions concerning separate drainage of foul and surface water and provision of grease traps.

Representations

2 further objections. Many express the same concerns as the objections referred in my main report. The objections express the following additional concerns:

- lack of notification/publicity;
- increased risk of vandalism;
- false information provided in documents;

1 representation raising the following additional issues:

- problems associated with additional use of shared service area to the rear of the premises as a result of home delivery services to be offered;

- request a site meeting before a decision is issued;
- if permission is granted strict conditions should be imposed and adhered to.

Observations

The application has been properly published and properties immediately adjacent, opposite and behind the site have been notified directly.

I see no reason why the development will increase the risk of vandalism. Arguably returning a vacant building to use will increase natural surveillance of the area, particularly at night, and therefore reduce the risk of vandalism.

It appears that some information provided by the applicant in respect of pre-application publicity is not accurate. The on-site parking provision stated on the application form is also inaccurate given that there is only a small yard to the rear of the building. However I doubt the servicing requirements of the business will be significantly different to that of a shop. The issue of customer parking is addressed through my main report.

The development will not give rise to any changes in how foul and surface water are drained from the site, therefore I do not intend to impose a condition to deal with this matter. An advisory note will be attached regarding the provision of grease traps.

Recommendation

Additional Note:

1. You are advised that grease traps are required on all catering waste to prevent entry into the public sewer system of matter likely to be prejudicial to its effective operation.

ALL OTHER ITEMS WILL BE TAKEN IN ORDER SHOWN ON THE ORIGINAL AGENDA

PAGES 49-54 ROS P/2012/0544

Consultations

North Wales Fire Brigade: Concerns raised about emergency vehicle access to properties accessed on the private track beyond the application site.

Rossett CC: Support application.

Observations

The applicant has removed any reference to the erection of a further boundary fence adjacent to the access track. I am satisfied that the proposal will not interfere with the access track and will not make emergency vehicle access any worse than at present. A note to applicant is included in the main report with respect to future emergency vehicle access provision.

Recommendation

Remains unchanged.

PAGES 75-79 ROS P/2012/0571

Consultations

Rossett Community Council – supports application

Recommendation

Remains unchanged.