MEMORANDUM

From:	Chief Officer, Environment & Technical	**To:**	Chief Officer Economy & Planning
		FAO:	Sarah Brett
Our Ref:	ET/DC/PP/P/2025/0821	**Your Ref:**	P/2025/0821
Date:	16/01/2026		

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: NEWID DEFNYDD ADEILAD O DDOSBARTH A1 (MANWERTHU) I DDOSBARTH A3 (BWYD A DIOD) / CHANGE OF USE OF BUILDING FROM CLASS A1 (RETAIL) TO CLASS A3 (FOOD AND DRINK)

LOCATION: GENERAL STORES, 70-70A POYSER STREET, WREXHAM, LL13 7RT

I refer to your consultation / email dated 25/11/2025 in respect of the above.

General

The proposed development comprises the change of use of an existing Class A1 – LPGN 16 general store use to a Class A3 -LPGN 16 takeaway use.

Access

The proposed development site is located on the corner of Poyser Street / Edward Street which are both unclassified, residential roads subject to a 20mph speed limit.

The LHA understand that the proposed development site previously operated as a small grocery shop (A1- Small Shop) and at a later date as part grocery store / part café. The shop's current lawful use is as a general stores but the shop is currently closed.

The development site has no existing or proposed off-street parking provision.

Parking Provision

The LHA understand that the existing Class A1 shop use comprises approximately 70m^2 gfa and the proposed Class A3 use (Takeaway) comprises approximately 20m^2 (net public floor space). It is assumed that the remaining storage areas of the building would be classed as ancillary to the proposed takeaway use.

Based on Class A1 Use (LPGN 16), the existing shop (70m^2 gfa) would require a maximum of 1 space per 15m^2 gfa equating to the maximum requirement of 5 spaces. Based on Class A3 Use (LPGN 16), the proposed takeaway (20m^2 net public floor space) would require a maximum of 1

space per 4m^2 net public floor space also equating to the maximum requirement of 5 spaces. In theory, there is no increase in parking demand between the existing and proposed uses.

The existing retail shop and proposed takeaway have no off-street parking provision.

Previous Applications / Appeals

Previous Planning Application ref: P/2024/1068 at 27 Hampden Road for the conversion of a Class C3 Dwelling to a HMO was granted on 08/10/2024 which is located a short distance from the development site.

The existing property was 2 bedroomed. LPGN 16 would normally require a maximum of 2 parking spaces for such a property. The proposed 3 bedroom HMO would have required a maximum of 3 parking spaces. Although the proposed HMO did not appear to have any designated off-road parking provision, the potential increase in parking demand is for a maximum of one additional parking space. Whilst visiting the area in the evening (after 6pm) on 03/07/2024, 12 available on-street parking spaces were observed along Hampden Road itself, 8 available on-street parking spaces along Edward Street and 14 available parking spaces along Poyser Street. Given the availability of the above spaces in close proximity to the site, relatively sustainable location of the site ie/ edge of city centre, it was considered difficult to object to the proposed development on highway grounds. The current application (P/2025/0821) for the proposed takeaway is located in close proximity to this previous application site and would therefore benefit from the same / similar available on street parking provision should customers arrive by car.

Previous planning application ref: P/2020/0898 for a change of use of Class A1 retail to Class A3 Takeaway @ 31 Holyrood Crescent, Wrexham. This application was refused by WCBC then allowed on appeal on 16/12/2021 (ref: A*PP/H6955/A/21/3277435).*

Comments from Inspector:-

9. An earlier application for a similar proposal was dismissed on appeal in 2020 (APP/H6955/A/19/3241117) as it would have represented an increase in parking demand when compared to the existing use of the unit. The appeal before me differs to the earlier application as a detailed layout is provided indicating that only 12m² of customer space would be made available in the unit.

10. For an A3 use, LPGN 16 specifies 1 car parking space per 4m² public floor space, giving a total of 3 parking spaces required for the proposal. This is a lesser requirement than the 4 spaces specified for the existing A1 use, applying the same standards. I acknowledge the physical constraints of the parking area in the rear service yard, however having regard to the lawful use of the site and by reference to the Council's own parking standards, the proposal would not intensify existing parking demand. In particular, I did not observe any significant congestion at my site visit and whilst I appreciate that highway conditions can vary throughout the day, there is no evidence such as parking surveys or photographs that identify any significant highway safety issues. The appeal site is also a convenient walking distance from the adjoining residential area and there are public transport facilities nearby. It is therefore accessible by means other than the private car.

11. The Council refers to a significant increase in traffic generation, but any use of the site would result in traffic and parking demand. In this case, there is little information that demonstrates that the traffic generated by the development would be significantly in excess of an A1 use. I accept that hot food takeaways can generate short stay parking with associated indiscriminate parking behaviour but this can also be the case for an A1 use, such as a convenience store. Moreover, the highway authority has no objection to the proposal on parking, access or highway safety grounds and I have been given no substantive evidence to disagree with this assessment.

12.Taking all of the above into consideration, I conclude that the proposal would not cause harm to highway safety interests and it would accord with Policies GDP 1 and T8 of the UDP and the advice in LPGN 9.that the proposal would not cause harm to highway safety interests and it would accord with Policies GDP 1 and T8 of the UDP and the advice in LPGN 9

Planning Consents ref: P/2012/0774, P/2014/0113 & P/2015/0492

The LHA understand that planning permission has previously been granted for an A3 use back in 2013 but on a temporary basis. The first planning permission (Ref: P/2012/0774) was for a 12-month temporary permission in order to allow time for the use to become established and for the impacts to be monitored. This was on the basis that the use was for a mixed use of 70% retail (Class A1) and 30% cafe (Class A3). A second application (Ref: P/2014/0113) to renew the temporary permission was granted a further temporary 12-month permission to allow for the impacts to again be monitored and considered, this time to also take account of residential amenity. However, a further, third application (P/2015/0492) for the continuation of the use was refused due to the impact upon residential amenity, parking and congestion. It is understood that the use of the building has remained vacant for a number of years and has not been used for cass A1 use for some time. In light of the previously refused application and the likely parking implications, a request has been made to the agent to provide additional information to help support the application and to demonstrate how these issues could be addressed. The agency has indicated that that collections and walk-ins would be from nearby streets and laybys on the main road, but it is anticipated that most customers would be served by home deliveries, in a similar manner to the applicant's existing business in Rhos.

It is understood that the previous shop / café operated between 8am – 8pm. In comparison, the proposed takeaway intends to operate between 4pm – 10pm. It is considered likely that should customers visit the site by car, then there will be the opportunity to park briefly along the neighboring streets and also within the existing on street parking bays along Ruabon Road to collect their food.

Based on the above relevant history / decisions, it would be difficult for the LHA to object to the proposed development (ref: P/2025/0821).

If the application is supported, it may be considered appropriate to grant a temporary permission so any potential issues associated with the development that may arise can be assessed.

<u>Cycle Parking / Shelter</u>

Any proposed development shall provide adequate cycle parking / shelter in accordance with LPGN 16 / Active Travel Guidance requirements. It is assumed that this could be dealt with by condition.

Waste / Recycling

It is assumed that similar arrangements will be in place as existing for the proposed development.

Conclusion

In conclusion, the LHA raise no objections to the proposed development.

K W Edwards

Contracts & Engineering Manager

On behalf of Chief Officer, Environment & Technical

Appendix

Highways Development Control Standard Advisory Note

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:

1. *Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);*
2. *Use of a parking space for a set down/delivery area;*
3. *Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works);*
4. *If any lane closure or obstruction of the highway is required for a crane or similar;*
5. *Protection against dust and debris blowing onto the public highway*
6. *Construction traffic parking locally avoiding nuisance to others;*
7. *If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required.*
8. *Lowering of kerbs or minor pavement alterations require Section 184/171 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required.*
9. *A section 278 agreement works agreement is required for more significant alterations to the existing highway*
10. *Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;*
11. *For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:*

    - *No surface water from the applicants site should be allowed to drain onto the public highway,*
    - *The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading.*
    - *No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.*

    **The hard paved length and set back if required is subject to the applicants proposed vehicular length*

The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.