

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **4TH SEPTEMBER 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – CHANGE OF USE FROM A1 – A3 (CHINESE TAKEAWAY) AT 12 HIGH STREET, HOLYWELL.**

APPLICATION NUMBER: **050976**

APPLICANT: **MR W CHAN**

APPLICATION VALID DATE: **3 JULY 2013**

LOCAL MEMBERS: **COUNCILLOR P.J. CURTIS**

TOWN/COMMUNITY COUNCIL: **HOLYWELL TOWN COUNCIL**

REASON FOR COMMITTEE: **CLLR P CURTIS REQUESTS REFERRAL OF THE APPLICATION TO PLANNING COMMITTEE, AS HE BELIEVES THAT THERE IS NO NEED FOR YET ANOTHER FAST FOOD OUTLET IN THE HIGH STREET. SO MANY FAST FOOD OUTLETS ARE NOT SUSTAINABLE.**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This application seeks permission for a change of use of a retail unit (A1) to a fast food takeaway (A3). The shop unit is situated within the Core Retail Area of the Holywell town centre.
- 1.02 The application is supported by documentation with regards to the marketing of the property for an A1 use for a period of over twelve months, offering the property for sale/let in an A1 use, to no avail, as such the proposal is compliant with Policy S7 of the Flintshire Unitary Development Plan.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01 1. Time limit on commencement of development
2. In accordance with approved plans
3. Installation of the flue and extraction system
4. Details of the proposed shop frontage and hand painted signage to be approved.

3.00 CONSULTATIONS

3.01 Local Member
Councillor P J Curtis

Requests referral of the application to Planning Committee as he considers that there is no need for yet another fast food takeaway and as there are so many outlets in Holywell, they are unsustainable.

Holywell Town Council

Objects on the following grounds;

The High street currently needs more diversity rather than a duplication of this type of business, as a means to reverse the decline in the town centre and facilitate its regeneration.

Pollution Control

Confirm that they have no objection to the proposed change of use, provided that the equipment for the flue and extraction system is installed and maintained in accordance with the manufactures instructions submitted in support of the application.

Economic Regeneration

No response received at time of writing.

Transportation and Assets

Confirm that they raise no objection to the proposal and confirm that they do not intend to make a recommendation on highway grounds.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

5.00 SITE HISTORY

- 5.01 **050565** Change of Use from A1 to A3 Chinese takeaway Withdrawn
05.06. 13
05/39284 Refurbish existing windows, frontage and canopy
05/39283 Change of Use from office to residential
96/962 Change of Use of Existing Accommodation Permit 21.05.97

0359/83 Demolition of the out buildings extension and new shop front
Permit 27.07.83

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
GEN1 - General Requirements for Development
HE1 - Development Affecting Conservation Areas
S7 - Shop Frontages within Town Centre Core Retail Areas
S8 - Hot Food Takeaways, Restaurants and Cafes

PLANNING APPRAISAL

7.01 The Application Site

The application site lies within the designated Core Retail Area (CRA) of Holywell town centre and is also within the Holywell Conservation area.

Whilst it is proposed that there would be limited external changes to the premises, the proposal does lead to a change of use from the former retail use (butchers shop A1) to a fast food takeaway (A3) and subsequently, this would lead to a loss of a retail unit within the CRA, however as the applicant has proved the marketing of the property for a retail use either for sale or let for the required 12 month period, the proposal is compliant with Policy S7 (d).

7.02 Conservation Area

As the application lies within the designated Conservation Area the applicant has forwarded details of the proposed flue and extractor system, these have been assessed and no objection is raised with regards to these details as they are not considered to adversely impact upon the character of the Conservation Area. It is requested that prior to commencement of the use details of the shop front and sign shall be approved by the local planning authority and the shop sign shall be hand painted on to the existing timber fascia. The proposal uses an existing unit to which there are minimal external changes proposed as such the proposal is compliant with policy HE1.

7.03 Application

The application has been supported by evidence of the marketing of the site for a retail use, either for sale or let as a going concern for a period of 12 months, unfortunately to no avail, as such the proposal is compliant with Policy S7 (d).

In view of the current national and local economic climate presently being experienced by Holywell town centre, like many other Town centres facing a decline in retail activity, the use of the unit for a takeaway is considered to be appropriate.

7.04 **Economic Competition**

Whilst the duplication of the use of the unit as another takeaway is noted, as are the concerns with regards to sustainability with regards to patronage of the unit, economic competition between similar businesses is not a material planning consideration and is a consideration out side the remit of planning .

I am of the opinion that the use of the unit for a takeaway will retain commercial activity in the High Street, and will fill a presently vacant unit.

As a result of this change of use this will enable the remaining businesses to benefit from increased public presence and foot fall within the high street.

8.00 **CONCLUSION**

8.01 The proposed change of use is compliant with Policies S7 and HE1, as such I am of the opinion that the use of the unit for a takeaway will add to the vibrancy of the high street and footfall within the town centre. In addition it will support the wider policies relating to the town centre, adding to the vibrancy of the Holywell conservation area, further safeguarding this important area.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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