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Heading:

45/2013/1078
9 Seabank Road
Rhyl

6



Application Site

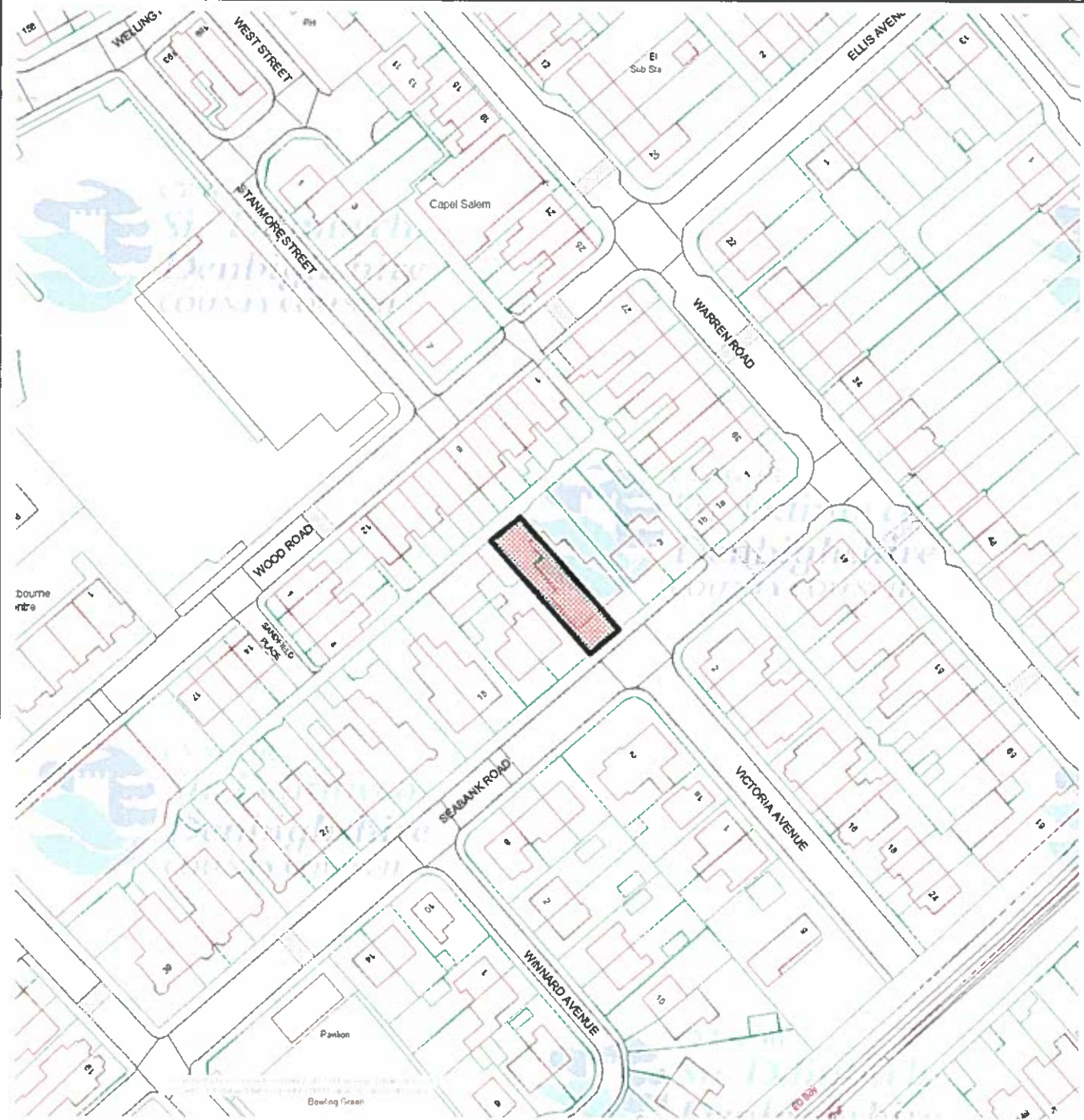


Date 3/4/2014

Scale 1/1250

Centre = 300306 E 380739 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



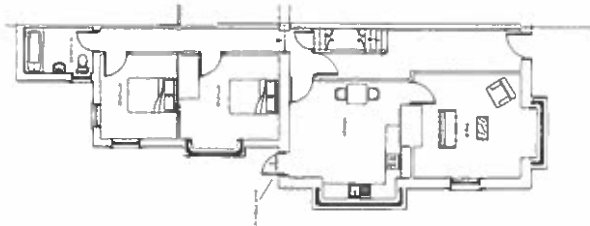
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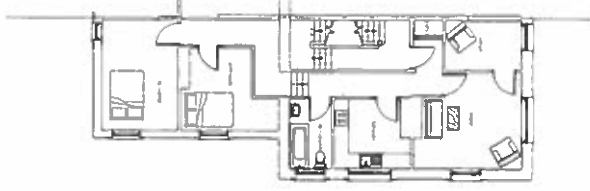
DRAWING NO P01

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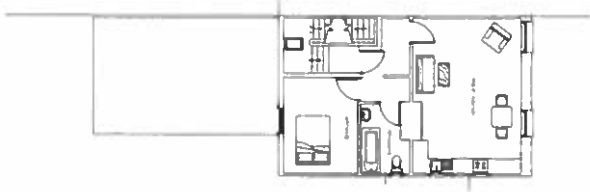
PROPOSED PLANS



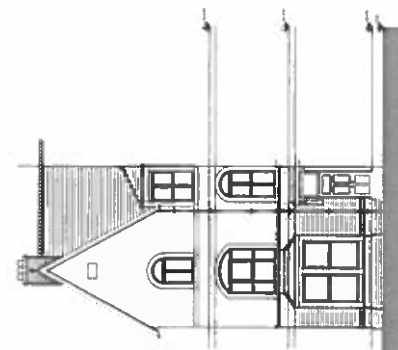
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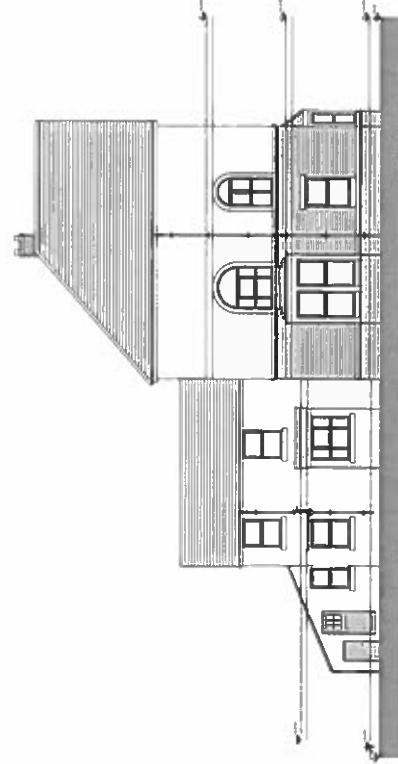
FIRST FLOOR (Scale 1:100)



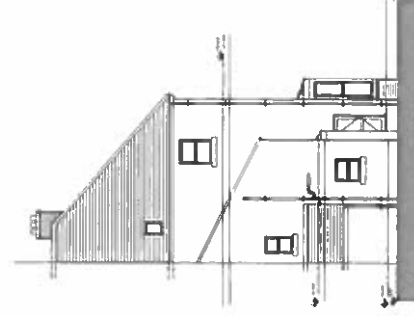
SECOND FLOOR (Scale 1:100)



FRONT (Scale 1:100)



SIDE (Scale 1:100)



REAR (Scale 1:100)

FOR PLANNING PURPOSES ONLY

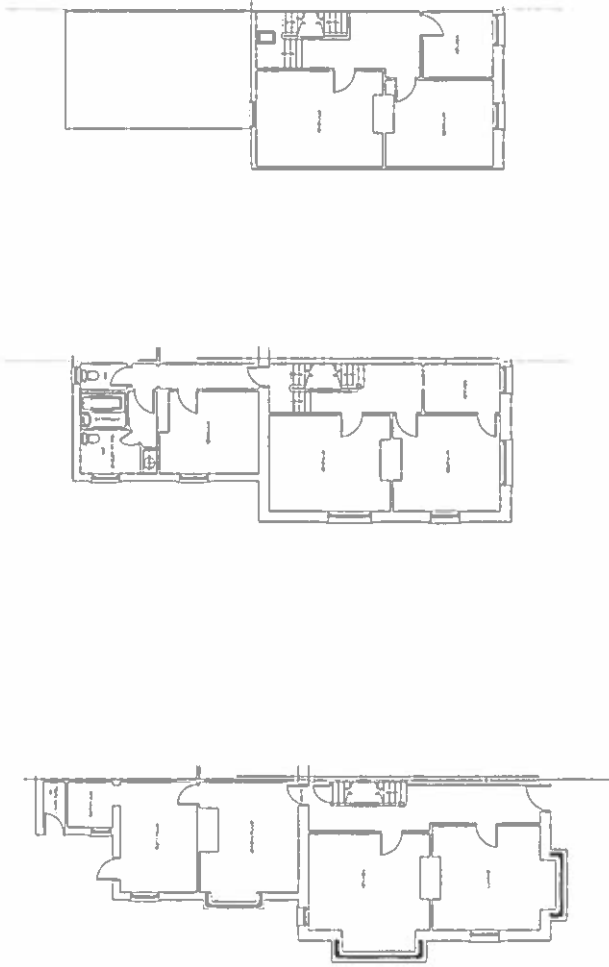
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DATE	PROPOSED PLANNING PERMISSION
SCALE	SCALE 1:100
DATE	11.10.2023
PROJECT NO	11.10.2023
PROJECT TYPE	RESIDENTIAL
ARCHITECT	J P ARCHITECTS
ADDRESS	8 SEABANK RD RPTL
CITY	PROPOSED PLANNING PERMISSION
SCALE	SCALE 1:100
DATE	11.10.2023
PROJECT NO	11.10.2023
PROJECT TYPE	RESIDENTIAL

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DRAWING NO **EX01**

The architect shall be responsible for the preparation, production, and distribution of the drawings in accordance with the provisions of the Building Act 2014 and the Building Regulations 2014. The architect shall also be responsible for the preparation and production of the drawings in accordance with the provisions of the Building Act 2014 and the Building Regulations 2014. The architect shall be responsible for the preparation, production, and distribution of the drawings in accordance with the provisions of the Building Act 2014 and the Building Regulations 2014. The architect shall also be responsible for the preparation and production of the drawings in accordance with the provisions of the Building Act 2014 and the Building Regulations 2014.

EXISTING PLANS



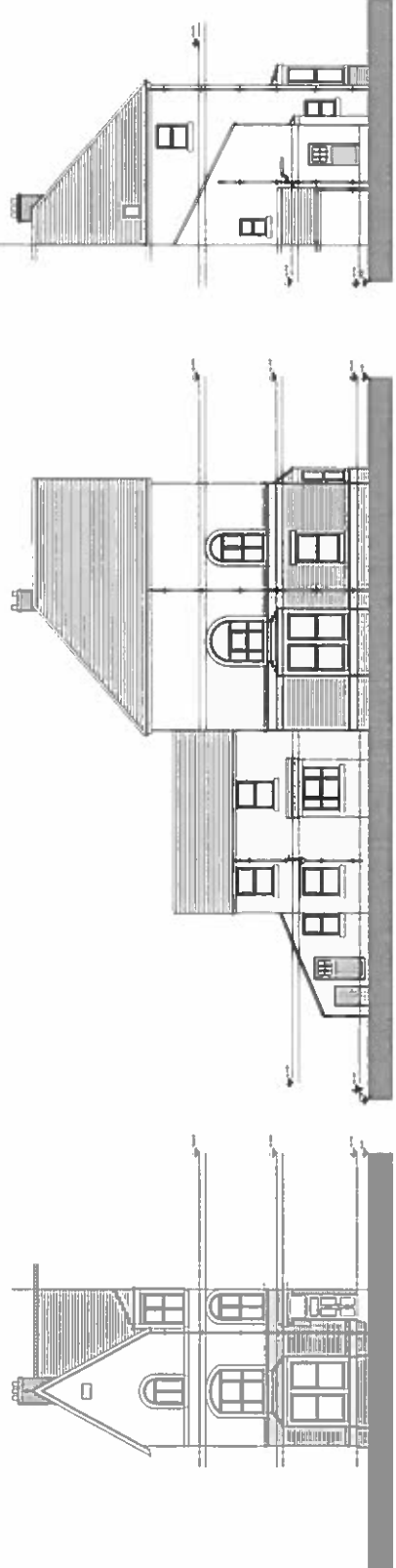
GROUND FLOOR (Scale 1:100)

FIRST FLOOR (Scale 1:100)

SECOND FLOOR (Scale 1:100)

FOR PLANNING PURPOSES ONLY

DATE: 10/01/2018	PROJECT NO: EX01
CLIENT: MARTIN BIRD	PROJECT: 8 SEABANK RD RHYE
PROJECT DESCRIPTION: CONVERSION	AS EXISTING
SCALE: 1:100	PROJECT NO: 21/1
DATE FOR PAPER: 10/01/2018	DRAWING TYPE: P



FRONT (Scale 1:100)

SIDE (Scale 1:100)

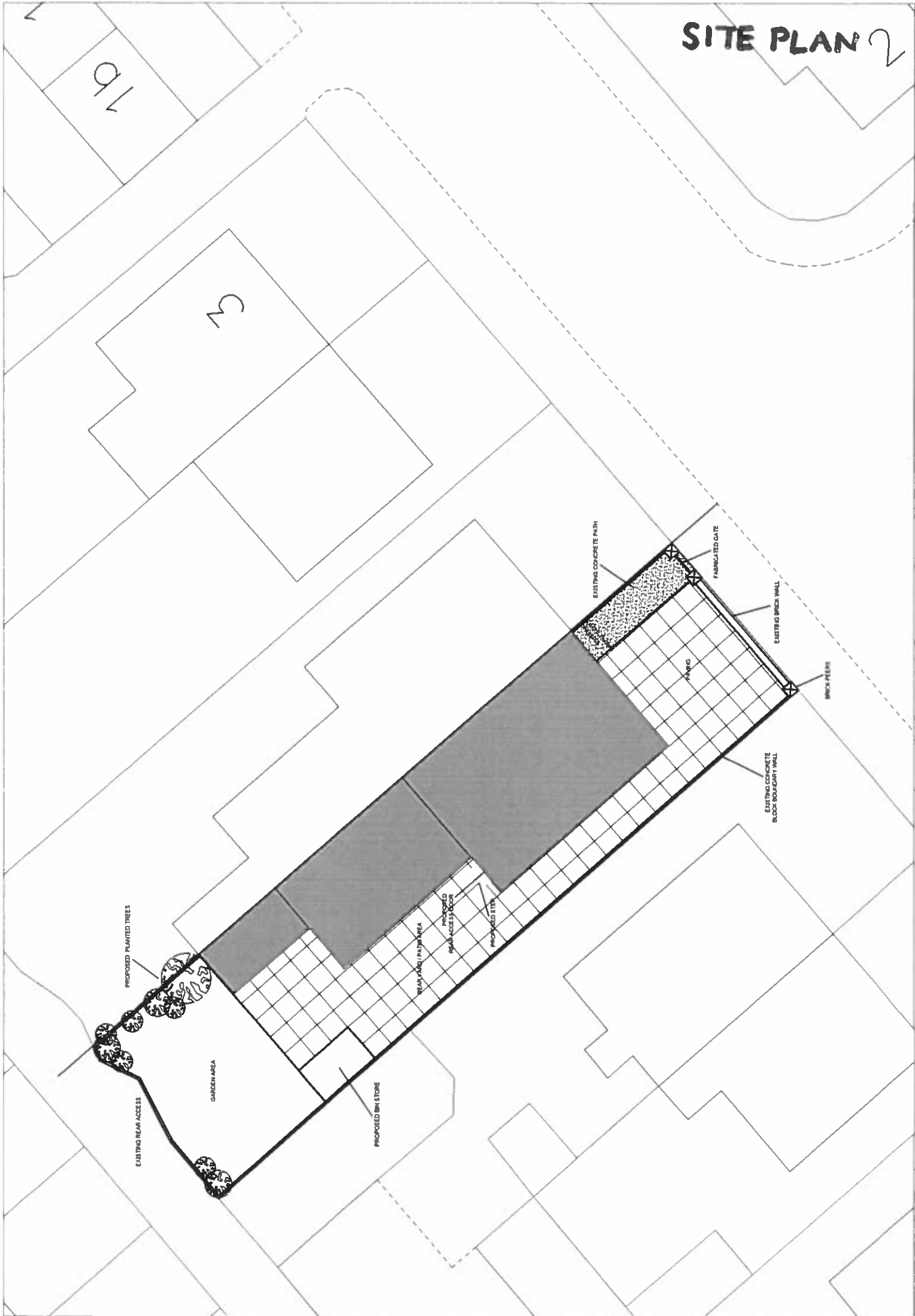
REAR (Scale 1:100)



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SITE PLAN 2



ITEM NO: 6

WARD NO: Rhyl West

WARD MEMBER(S): Councillors Joan Butterfield and Ian Armstrong

APPLICATION NO: 45/2013/1078/ PF

PROPOSAL: Conversion and renovation of existing HMO's to include 3 floors of residential accommodation, consisting of two x 2 bedroom apartments and one x 1 bedroom apartment

LOCATION: 9 Seabank Road Rhyl

APPLICANT: Mr Martin Bird

CONSTRAINTS: C1 Flood Zone
250m Of Landfill Site
Groundwater Vulnerability
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - NoPress Notice - NoNeighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant – Town Council objection

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

"OBJECT for the reasons previously stated:

1. While the Town Council accept that from the evidence submitted by the applicant the building may previously have been used as a HMO this would have been an unauthorised change of use. The Council would respectfully suggest that the Planning Department liaise with the Electoral Registration Department, HMO Licensing and other internal departments such as housing benefit to clarify the period of time that the building was in multi-occupation.
2. It is the Town Council's understanding that properties located within or adjacent to conservation areas do not benefit from the normal rules regarding Lawful Development Certificates and as such should be determined on the basis of the loss of a family sized home to apartment or flat use in an area where there is already an oversupply of such provision. The Council do not believe that the conversion to apartments would be in keeping with the Conservation Area".

NATURAL RESOURCES WALES

No objection

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
CONSERVATION OFFICER**

No objection

HEAD OF HIGHWAYS AND INFRASTRUCTURE

No objection

ECONOMIC & BUSINESS DEVELOPMENT MANAGER

No objection. Whilst overall would seek to reduce the number of one bedroom flats, accept there is a need for this type of accommodation. Units need to meet space standards, but given the mix of housing being proposed in the area, consider the application is acceptable.

RESPONSE TO PUBLICITY:

Representation received:

In objection

Representations received from:

The Owners, No. 11 Seabank Road, Rhyl.

Summary of planning based representations in objection:

Access / highways impact

Inadequate parking.

EXPIRY DATE OF APPLICATION: 23/10/13

REASONS FOR DELAY IN DECISION:

- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks planning permission for the conversion and renovation of no.9 Seabank Road in Rhyl to form three flats. The existing use of the property is referred to in the planning application as a House in Multiple Occupation (HMO).
- 1.1.2 The application proposes the formation of 2 no. 2 bed self-contained flats and 1 no. 1 bed flat. It is proposed to have one flat on each floor of the three storey property.
- 1.1.3 The units would be accessed from the front of the property off Seabank Road. The rear of the site which includes an external bin store and clothes drying area would be accessed off a back alley which runs along the rear of the properties on Seabank Road.
- 1.1.4 There would be minor alterations proposed to facilitate the conversion, which would be mainly internal (see the plans at the front of the report).

1.2 Description of site and surroundings

- 1.2.1 The 3 storey property is located on the northern side of Seabank Road in West Rhyl.
- 1.2.2 The adjacent properties on the street are a mix of two and three storey buildings comprising of single dwellings and flats.
- 1.2.3 The area is primarily residential in character.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhyl, within the West Rhyl Regeneration Area.

1.4 Relevant planning history

- 1.4.1 Although there is no recorded planning history for the building, information from the Housing and Revenues Sections show the property was not formally registered as a HMO but has been used for 6 one bedroom flats.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 The application has been delayed by a request for from Natural Resources Wales for information relating to flood risk. The assessment of this issue is referred to below.

2. DETAILS OF PLANNING HISTORY:

2.1 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE LOCAL DEVELOPMENT PLAN (adopted 4th June 2013)

Policy RD 1 - Sustainable Development and Good Standard Design

Policy PSE 1 - North Wales Coast Regeneration Area

Policy BSC 3 - Securing Infrastructure Contributions from Development

Policy BSC 7 - Houses in Multiple Occupation and Self Contained Flats

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance Note No. 7 Residential Space Standards

Supplementary Planning Guidance Note No. 27 West Rhyl Regeneration Area

3.3 GOVERNMENT POLICY GUIDANCE

TAN 12 Design

TAN 15 Development and Flood Risk

Planning Policy Wales Edition 6 February 2014

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6 February 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably related to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues are considered to be:

4.1.1 Principle

4.1.2 Impact on residential amenity

4.1.3 Impact on visual amenity

4.1.4 Highways (including access and parking)

4.1.5 Floodrisk

4.2 Other matters

In relation to the main planning considerations:

4.2.1 Principle

The site is located within the development boundary of Rhyl where new residential development will, in principle, be supported provided that it meets the relevant tests of policies in the Local Development Plan and is compatible with other material planning considerations.

Policy PSE 1 relates specifically to the North Wales Coast Strategic Regeneration Area. The policy seeks to compliment the various regeneration initiatives in the area, and in relation to housing development advises that in this area the Council will support proposals which provide new family accommodation.

Policy BSC 7 is the detailed policy relating to Houses in Multiple Occupation & Self Contained Flats. The policy states that the sub-division of existing premises to self contained flats will be permitted provided that all the following criteria are met: i) the property is suitable for conversion to the number and type of flats proposed without unacceptably affecting the character, appearance and amenity standards of the locality (including cumulative effects of such proposals); and ii) the proposal conforms to the Council's approved space and amenity standards.

SPG Note No. 7 relates to 'Residential Space Standards' and provides specific guidance on floorspace and external space in connection with development. This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues with the aim of improving the design and quality in new developments. The SPG aims to assist consideration of proposals in parts of Denbighshire where there has been a significant increase in the number of large houses which have been subdivided into flats, bedsits and other forms of multiple occupation, and where there is a serious oversupply of low quality single person accommodation in parts of the County which has contributed towards social and economic problems and adversely affected the existing residential character.

SPG Note No. 27 relates to the 'West Rhyl Regeneration Area'. This SPG was produced specifically to address the decline of Rhyl, where there is a concentration of poor quality multi-occupancy housing, an imbalanced tenure profile and perceptions of the area that deter private sector investment. The SPG sets out objectives which aim to ensure the long term sustainability of West Rhyl. The most relevant objectives of the SPG are objective (c) and (d) both of which advise that the Council will encourage a more balanced range of housing tenures. Also relevant is Chapter 6 which contains the planning policy requirements of the SPG and sets out some exceptions that apply to new residential development in Rhyl. The change was made owing to development viability issues in West Rhyl, and is intended to be a fiscal tool in order to help attract private investment into the area. It waives the need for provision of or financial contribution to open space provision and affordable housing provision or contributions normally required for new residential development.

Chapter 9 of Planning Policy Wales (PPW) sets out Welsh Government's objectives in relation to housing. PPW encourages higher densities on easily accessible sites, where appropriate, but highlights the importance of good design to ensure a high quality environment. The need for 'barrier free housing' is also highlighted and the use of Lifetime Homes Standards is advocated. Chapter 5 of Technical Advice Note 12: Design highlights the importance of good design in relation to quality of life and also the importance of inclusive design.

The Rhyl Going Forward Strategy aims to tackle housing problems and seeks to prevent further poor quality accommodation within certain areas of Rhyl.

In considering the issue of the principle of a change of use, Officers have taken into account the above planning policies and guidance. Whilst the proposal does raise a number of issues it is suggested the relevant policies and guidance do not preclude the change of use to flats in this area, particularly where the resulting development would be an improvement on the existing situation. The proposals submitted are therefore considered acceptable in principle, and the detailed impacts of this application to convert the dwelling into 3 flats are considered below.

4.2.2 Impact on residential amenity

Policy RD1 sets specific tests to be applied to amenity impacts. Policy BSC 7 and

SPG 7 also require amenity issues to be considered for proposals to subdivide properties into self-contained flats.

Flat 1 is shown to be a two bed unit located on the ground floor. The accommodation would measure 92 sq m in floor area and provide 2 bedrooms, living room, kitchen, and bathroom. Flat 2 is shown to be a two bed unit located on the first floor. The accommodation would measure 70sq m in floor area and provide 2 bedrooms, living room, kitchen, bathroom and a small study. Flat 3 is shown to be a one bedroom unit located on the second floor. The accommodation would measure 48sq m in floor area and provide 1 bedroom, living room opening to a kitchen and a bathroom. To the rear it is proposed to provide a bin store area and external drying area.

For 1 bed units, SPG 7 requires a minimum floorspace of 50 sq metres and for 2 bed units 65 sq metres, hence both two bed units meet the SPG requirements; the 1 bedroom unit is 2 sq metres short of the minimum. The minimum space standards given for living rooms and bedrooms are also exceeded. The plans indicate the provision of 99 sq metres of amenity space to the rear, and the level of amenity afforded is considered acceptable. Whilst the size of the 1 bed unit is just short of the minimum standard, considering the improvement and planning gain from what is currently 6 single person flats to three larger flats, on balance this is considered acceptable. It is considered that a suitable level of amenity would be afforded to future occupiers of the flats and therefore the proposal is consistent with Policy RD1, BSC 7 and SPG 7.

- 4.2.3 Impact on visual amenity/character and appearance of Conservation Area
Policy RD1 contains general considerations to be given to the visual impacts of new developments.

The proposal involves minor alterations to the internal arrangements of the building, and no external alterations are proposed.

There would be no adverse impact on visual amenity or on the character and appearance of the area as a result of the proposed change of use to three flats, therefore it is not considered that the proposal does not conflict with Policy RD1.

- 4.2.4 Highways (including access and parking)
Policy RD1 requires due consideration of access and highway safety issues.

There is no on site parking for the use as existing or the proposed flats. On street parking is available in the area. The site is located close to the town centre, within walking distance of local shops and facilities and a main bus route. The Head of Highways has raised no objection to the proposal.

It is not considered that the proposal conflicts with the highways considerations of Policy RD1.

- 4.2.5 Floodrisk
TAN 15 is Welsh Governments planning guidance note relating to flood risk. The aim of TAN 15 is to direct new development away from those areas which are at high risk of flooding, and to only permit development in high risk areas which can be justified on the basis of the tests outlined in the TAN.

The site is located within a C1 flood zone, described as "areas of the floodplain which are developed and served by significant infrastructure, including flood defences." As a result of the location of the site in this area, a limited FCA was requested by Natural Resources Wales. The submitted FCA outlined the potential flood risks at the site and set out series of flood resilient and resistant measures to provide a means of reducing the potential impacts of flooding. NRW considered the FCA and have advised that they have no objection to the development, given its limited scale.

Having regard to the fact the proposals relate to an existing residential property, and to the NRW advice in relation to flooding issues, it is considered that the proposal is not in conflict with policy TAN 15 in terms of flood risk.

4.3. Other matters

Rhyl Town Council have raised concerns over the reference to the previous use being a HMO. Whilst the HMO use has not been proven, documentation submitted with the application clearly shows a 6 bedroom arrangement and Council records show historic address records for 6 flats. Therefore Officers feel in the absence of evidence from the Town Council of no. 9 being a single dwelling it would be difficult to resist.

5. SUMMARY AND CONCLUSIONS:

- 5.1 In conclusion the proposal is considered acceptable under the relevant policies and is therefore recommended for grant.

RECOMMENDATION: -GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. None of the flats hereby permitted shall be occupied until provision has been made within the site for the bin stores and drying area, in accordance with the details approved by the Local Planning Authority.
3. The development shall be carried out strictly in accordance with the Flood Consequences Assessment submitted to Natural Resources Wales on the 17th February 2014 and the recommendations in relation to flood proofing measures and flood plan production therein.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To ensure the units are serviced by adequate storage and drying facilities in the interests of visual and residential amenity.
3. In the interest of reducing the potential impacts of flooding.

NOTES TO APPLICANT:

None