



CYNGOR  
**Sir Ddinbych**  
**Denbighshire**  
COUNTY COUNCIL

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Heading:

45/2014/0116  
72 Queen Street  
Rhyl

8



Application Site

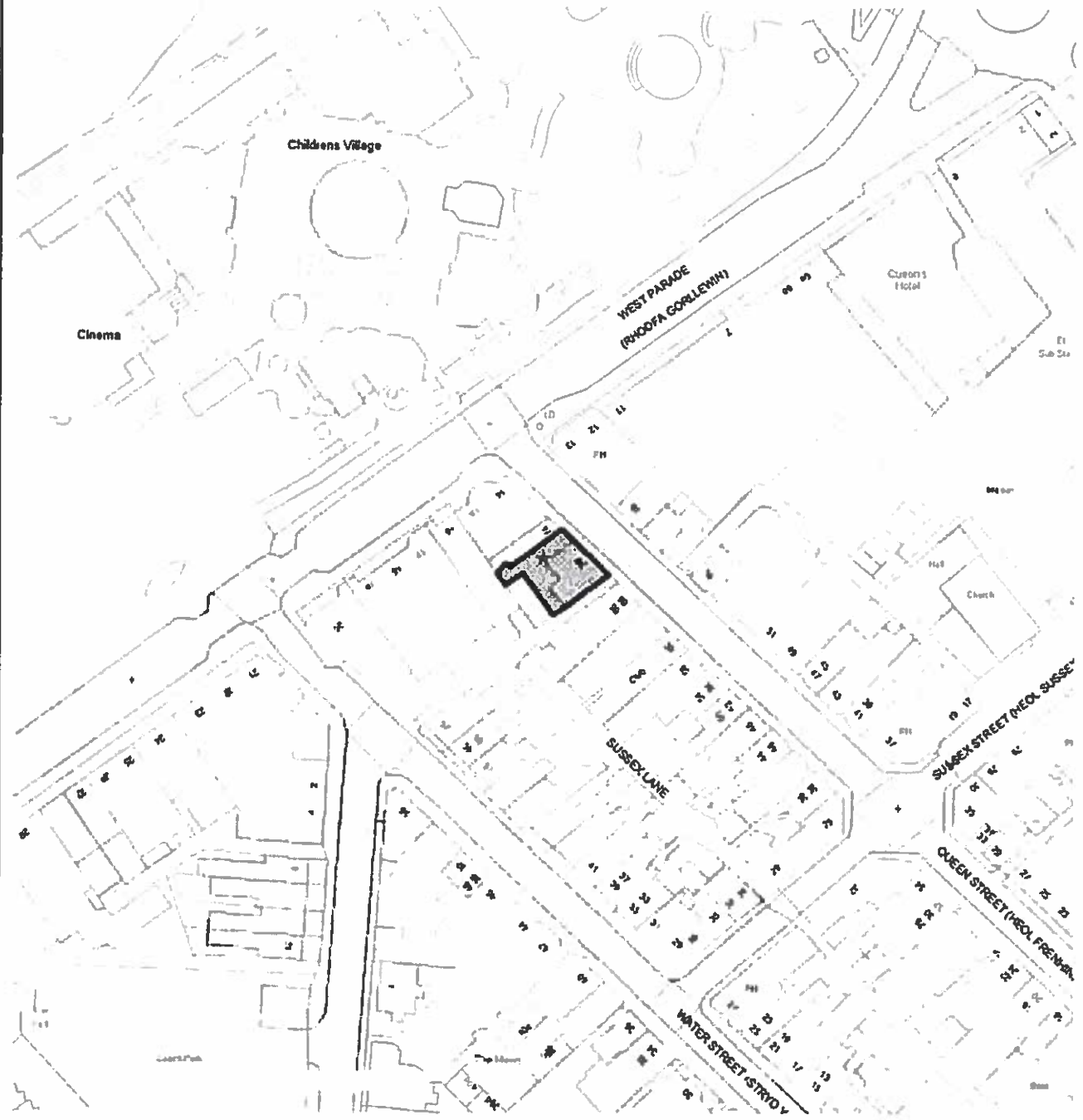
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Date 3/4/2014

Scale 1/1250

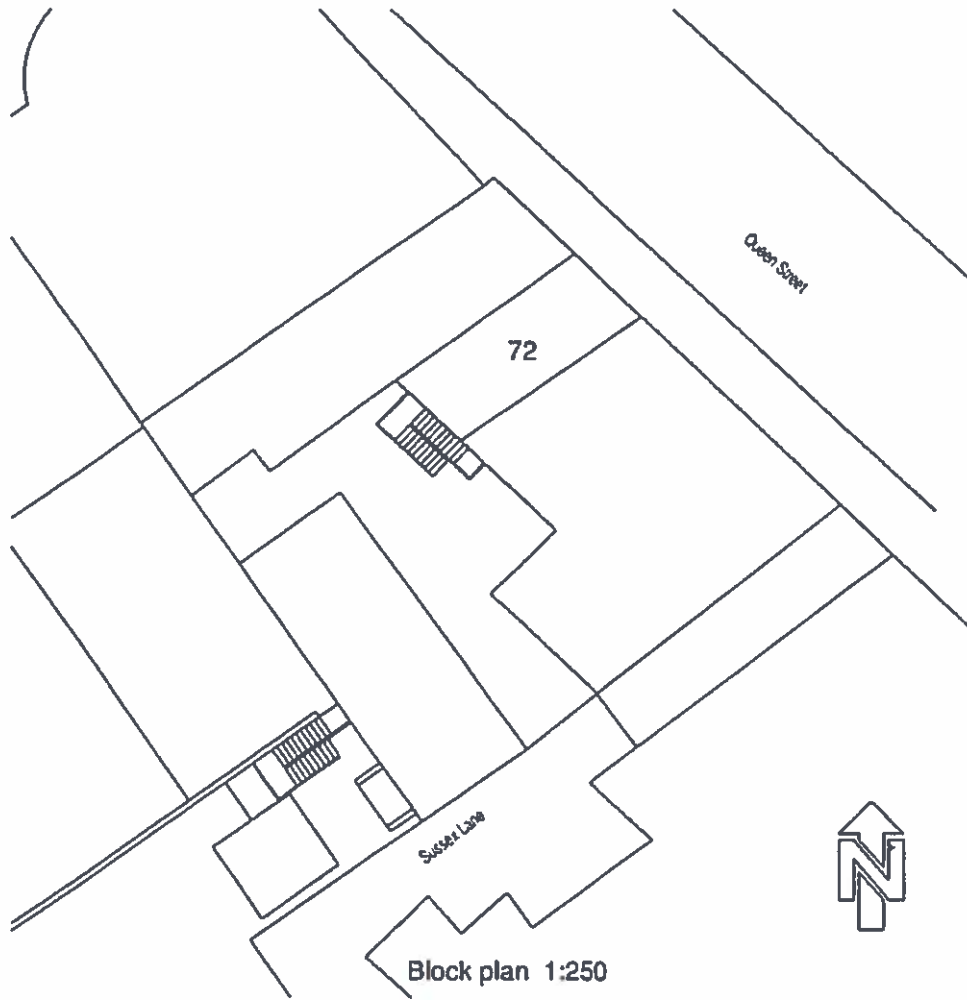
Centre = 300607 E 381513 N

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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# BLOCK PLAN



Block plan 1:250



Location plan 1:1250

**72 Queen Street  
Rhyl.**

SCALE As shown @ A4  
DATE October 2012  
LAWRENCE PARRY ASSOCIATES  
HILL HOUSE, HILLSIDE, PRESTATYN.  
01745 854945

DRWG. No 3846 / 01

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0mm 50mm 100mm

This scale will measure 100mm when the drawing sheet has been printed on A4 paper at 1:1 scale

# PROPOSED FLOOR PLAN

New escape window to bedroom.  
Opening light to comply with paragraph 2.11 Part B1 of the Building Regulations with unobstructed operable area of at least 0.33m<sup>2</sup> and at least 450mm high and 450mm wide with bottom of window less than 1100mm above floor level. Class to comply with Part K and BS5276.

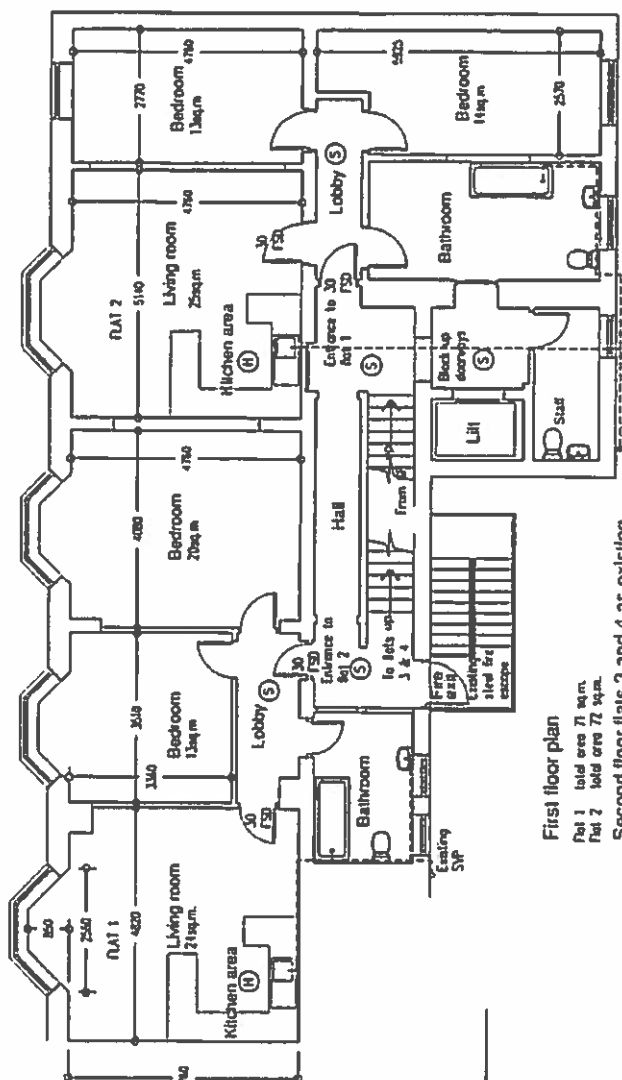
All wet subject to statutory consents being obtained.  
All wet to be carried out to the satisfaction of the Building Control Officer.  
Contractor to check all dimensions and levels on site and to report any discrepancies. Contractor not to scale drawings.  
Fixed in conjunction with engineers details and calculations.  
P M DOUBT ASK

Car-washes, cloakrooms and bedrooms to have mechanical ventilation to extract at 15/sec. Fans to be controlled via light switches with a 20 minute over-run. Background ventilation of at least 4000sqm to be provided.

Wash basins and sinks to be fitted with 75mm deep and traps with 300 wasters for runs up to 2m and 500 for over 2m. Balbs and showers to have 500 wasters and w/c's 1000 wasters. Building access to be provided of all changes in direction of waste flow.

Habitable rooms to have opening lights equal to 1/16 of floor area and to have background ventilation of at least 8000sqm.

New internal partitions to be stud framed with Soundblock plasterboard lining.  
Timber stud partitions to be 63.75 lbs studs lined both sides with 12.5mm Soundblock plasterboard. Reduced sound absorbing quilt minimum 100g/m<sup>3</sup> densely fixed between studs.  
Party wall partitions to be British Gyproc Ribust D10 C-WL3 timber frame with sheathing board GA with 300mm/240mm minimum between fixings 50mm min between sheathing panels inner fixing layer 12.5mm Gyproc plank each side. Outer fixing layer 12.5mm Gyproc. Backboard each side 65mm thick AP11200 or 90mm Formobell HP033 between studs in each timber frame.  
Total 70,000mm.sq background ventilation to be provided with 10mm gap below of doors



First floor plan  
Flat 1 total area 71 sqm.  
Flat 2 total area 72 sqm.  
Second floor flats 3 and 4 as existing

Smoke alarms powered from a separate base in the main distribution board to be fitted within 7m of all living rooms and within 3m of bedrooms. All doors to be interlocked and to comply with BS5446 P11  
Fire alarm system to be installed by specialist in accordance with BS5746-1:2004 and to have minimum 72hr. battery standby

All electrical work to be undertaken by an electrician who is a member of an approved organization that permits self certification. When contractor to supply details to the Building Control Officer for approval. Certificate to BS 7871 to be issued for the work by a person competent to do so.

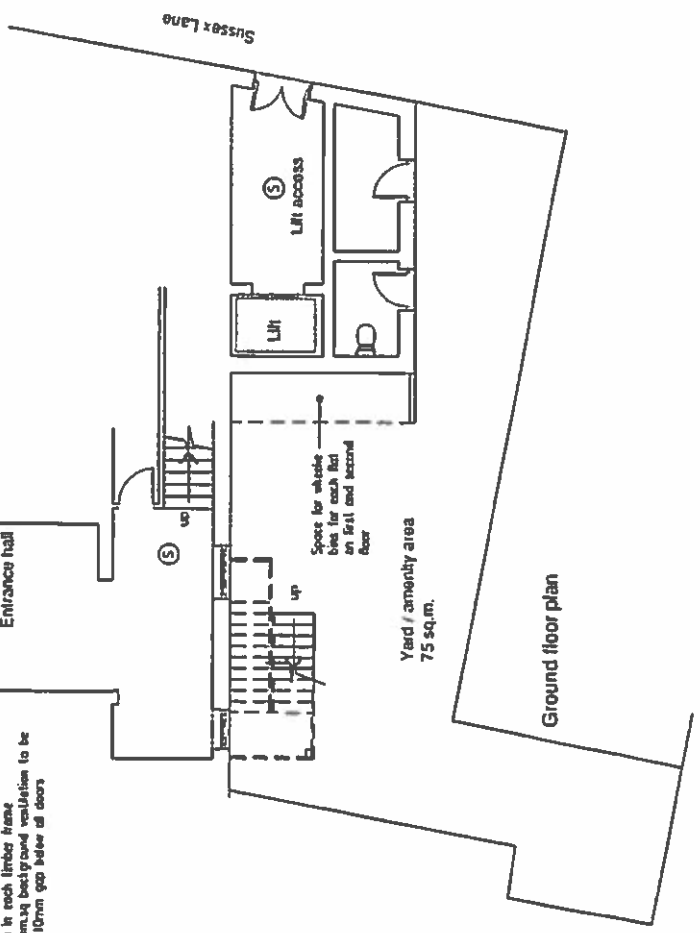
A Areas noted on plans November 2013

AS PROPOSED  
72 Queen Street  
Rhyll.

SCALE 1:100 @ A3  
DATE October 2013  
LAWRENCE PARRY ASSOCIATES  
MILL HOUSE, RHYLL, PRESTATN.  
01745 85945  
DRAWG. No. 3846 / 03A



This scale will measure 100mm when the drawing sheet has been printed on A3 paper at 1:1 scale



Ground floor plan

Yard / amenity area  
75 sq.m.

# EXISTING FLOOR PLAN

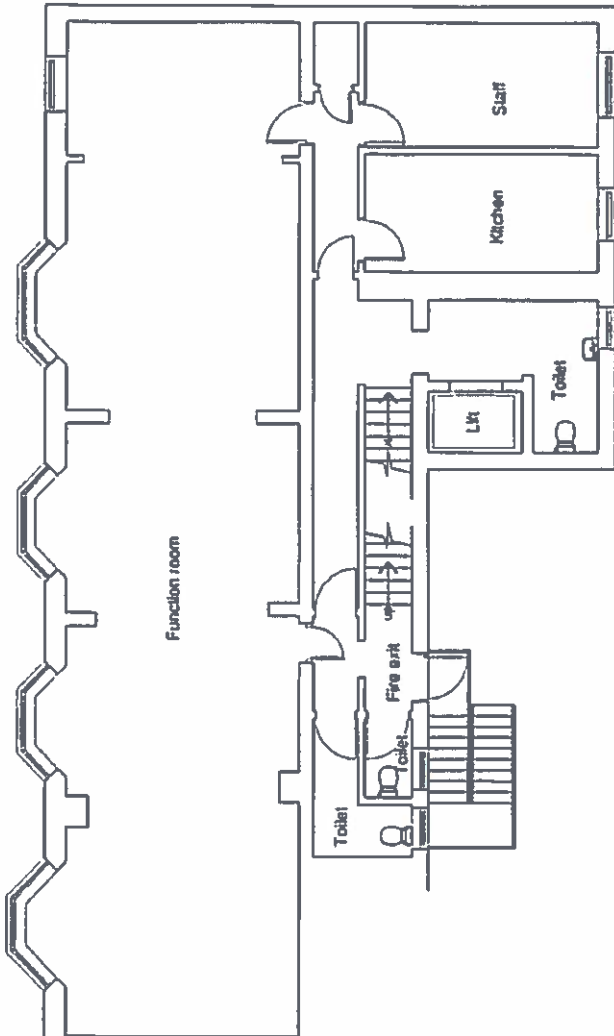
AS EXISTING  
72 Queen Street  
Rlyl.

SCALE 1:100 @ A3  
DATE October 2012  
LAWRENCE PARRY ASSOCIATES  
HILL HOUSE, HILLSIDE, PRESTON.  
01745 834945

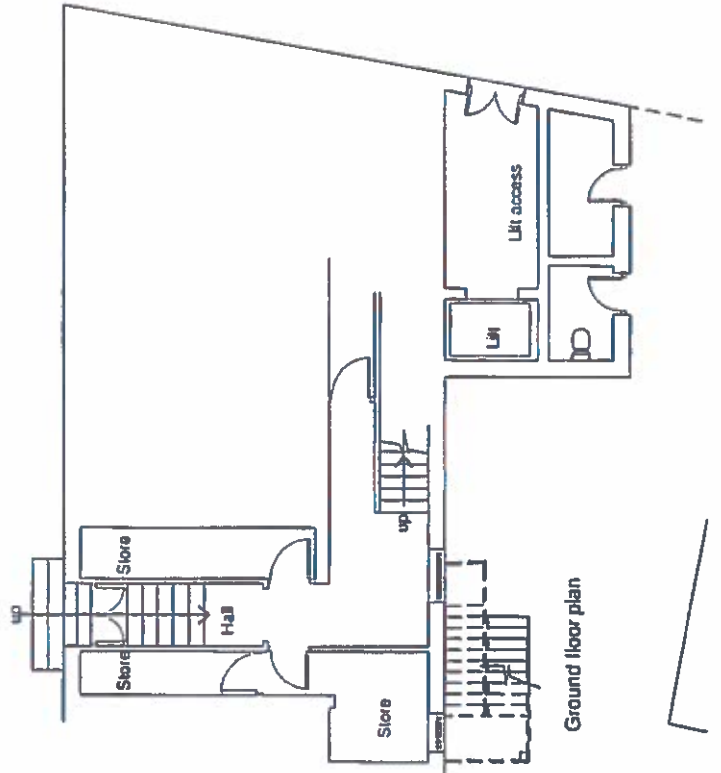
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50mm  
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Queen Street



Ground floor plan

**ITEM NO 8**

**WARD NO:** Rhyl West  
**WARD MEMBER(S):** Councillors Joan Butterfield and Ian Armstrong  
**APPLICATION NO:** 45/2014/0116/ PF  
**PROPOSAL:** Change of use of restaurant at 1st floor level into 2 No. self contained flats  
**LOCATION:** 72 Queen Street Rhyl  
**APPLICANT:** Mr K Ghani  
**CONSTRAINTS:** Town Heritage Area  
Conservation Area  
**PUBLICITY UNDERTAKEN:** Site Notice - Yes Press Notice - Yes Neighbour 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: The Council are concerned that the application will not provide adequate standards of amenity and result in an over intensification of residential use in an area already containing a high concentration of individual sub-standard accommodation (as per the Local Planning Authority's previous decision in respect of 45/2013/1260/PF)"

**DWR CYMRU/ WELSH WATER**

No objection

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES**

- CONSERVATION OFFICER

No objection

- HEAD OF HIGHWAYS AND INFRASTRUCTURE

No objection

**RESPONSE TO PUBLICITY:** None

**EXPIRY DATE OF APPLICATION:** 31/03/13

**REASONS FOR DELAY IN DECISION:**

- Timing/ receipt of consultation responses.

## PLANNING ASSESSMENT:

### 1. THE PROPOSAL:

#### 1.1 Summary of proposals

- 1.1.1 The application seeks planning permission for the change of use of an existing first floor restaurant at no. 72 Queen Street in Rhyl, to form two flats.
- 1.1.2 The two self-contained flats would both comprise of two bedrooms and living accommodation.
- 1.1.3 The units would be accessed from the existing entrance at the ground floor off Queen Street.
- 1.1.4 The rear of the site which is shown to accommodate a 75 square metre amenity area would be accessed off a fire escape to the rear of the entrance lobby at the ground floor of Sussex Lane at the southern end of the block.
- 1.1.5 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 No. 72 is a mixed used property, presently operating as a tattoo studio and retail unit on the ground floor, and a restaurant on the first floor. It is understood that there are currently two flats on the second floor.
- 1.2.2 The restaurant is accessed at street level via a centrally located entrance lobby to stairs and a lift.
- 1.2.3 It is located on the western side of Queen Street in Rhyl Town Centre.
- 1.2.4 The adjacent properties on the street are a mix of commercial properties with residential uses on the upper floors. Most are three storey buildings.

#### 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 and Conservation Area.

#### 1.4 Relevant planning history

- 1.4.1 The original restaurant use was established in 2007 when planning permission was obtained for the change of use from a social club.
- 1.4.2 A similar application to this proposal was refused in 2013, and is referred to in the background section at 1.6 below.

#### 1.5 Developments/changes since the original submission

- 1.5.1 None.

#### 1.6 Other relevant background information

- 1.6.1 This application is a resubmission of an almost identical proposal refused in November 2013. The main reason for refusal was based on substandard floorspace in the proposed flats. After the decision was issued the Agent queried the reason with Officers as he considered the flats met the relevant standards, on investigation it has become apparent that the printed version of the submitted plans were not at the stated scale, hence the scheme has been resubmitted with accurately scaled plans and annotation.

### 2. DETAILS OF PLANNING HISTORY:

- 2.1 45/2013/1260 Change of use of restaurant to two self-contained flats. Refused under delegated powers on the 21/11/2013 for the following reasons:

1. It is the opinion of the Local Planning Authority that the proposed change of use of the first floor of no. 72 Queen Street to two self-contained flats would fail to provide adequate standards of amenity by virtue of failing to meet minimum adopted floor space standards. The proposal is therefore unacceptable in relation to Criteria iv) of Policy RD 1 and Criteria i) and ii) of Policy BSC 7 of the Denbighshire Local Development Plan and advice contained within Supplementary Planning Guidance Note No. 7 and No. 27 and the aims of the Rhyl Going Forward Strategy.
2. The proposed subdivision of the first floor area of no. 72 Queen Street into two self-contained dwellings would result in an unacceptable intensification of residential use within an area already containing a high concentration of individual substandard accommodation. The proposed subdivision would unacceptably affect the amenity standards of future occupiers contrary to the provisions of Policies PSE 1 and BSC 7 of the adopted Local Development Plan, residential space standards set out in SPG 7 Residential Space Standards, and the aims of the Rhyl Going Forward Strategy.

### **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

#### **3.1 DENBIGHSHIRE LOCAL DEVELOPMENT PLAN (adopted 4<sup>th</sup> June 2013)**

Policy RD 1 - Sustainable Development and Good Standard Design

Policy PSE 1 - North Wales Coast Regeneration Area

Policy PSE 8 - Development within Town Centres

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

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 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 some issues it is suggested the relevant policies and guidance do not preclude the change of use to flats in this area. The application is therefore considered acceptable in principle, and the detailed impacts of this application to convert the restaurant into 2



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 in to self-contained flats.

Flat 1 would measure 71sq m in floor area and provide 2 bedrooms, living/ kitchen area, and bathroom. Flat 2 would measure 72sq m in floor area and provide 2 bedrooms, living/kitchen area, and a bathroom. The plans show a 75 sq metre amenity area to the rear where it is proposed to provide a bin store area.

For two bed units SPG 7 requires a floor area of 65 sq metres, hence both two bed units meet the requirements. The minimum space standards given for living rooms and bedrooms are also exceeded. The plans indicate the provision of a 75 sq metres amenity space to the rear, and the level of amenity afforded 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 complies 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. Chapter 6 of Planning Policy Wales advises that development should preserve or enhance the character and appearance of Conservation Areas.

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 Conservation Area as a result of the proposed change of use to two flats, therefore it is not considered that the proposal conflicts with Policies RD1 and PPW.

#### 4.2.4 Highways (including access and parking)

Policy RD1 requires consideration of access and highway safety issues.

There is no parking on site for the existing restaurant and no parking for the proposed flats. The site is located within a town centre within walking distance of local shops and facilities and is located on 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 Other matters

Rhyl Town Council have raised concerns over the application considering the history. This is addressed above in the background section. Whilst clearly there is an issue with oversupply of small flats in the area, seeing as the minimum standards have been met for both proposed flats, Officers consider it would be difficult to resist the proposals.

### 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.

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.

**NOTES TO APPLICANT:**

None

**ITEM 7**  
45/2014/0045/PF

**Rhyl High School And Leisure Centre 86 Grange Road Rhyl**  
Erection of 3-storey secondary school for 1,245 pupils and detached small changing block, associated external play space, grass pitches, all-weather pitch and multi-use games area, associated car parking and service areas. Alterations to existing vehicular access to the highway to include pupil drop-off areas.

**LOCAL MEMBER(S):** Councillors Brian Blakeley, Win Mullen-James (c) and Bill Tasker (c)

**OFFICER RECOMMENDATION IS TO GRANT**

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**LATE REPRESENTATIONS**

Consultees :

Sport Wales

No objection. The application involves a reconfiguration of the site that will not result in a net loss of playing field area.

**OFFICER NOTES**

Suggested revised condition:

Condition 15

The use of the sports pitches shall not commence until there has been submitted to and approved in writing by the Local Planning Authority, a noise assessment in relation to the new sports/games/pitch facilities on site including details of mitigation measures that may be necessary in relation to protecting the residential amenities of nearby residents. Any mitigation measures required shall be implemented prior to the first use of the facilities, and shall be retained at all times the facilities are in use.

Suggested additional condition:

**PRE- COMMENCEMENT CONDITION**

16. No development shall be permitted to commence until the details of the design, height and materials proposed for any boundary or internal site fencing and walls have been submitted to and approved in writing by the local Planning Authority. The development shall be completed strictly in accordance with the approved details before the new buildings and associated facilities are first brought into use.

Reason – In the interests of visual and residential amenity

**ITEM 8**  
45/2014/0116/PF

**72 Queen Street Rhyl**  
Change of use of restaurant at 1st floor level into 2 No.self contained flats

**LOCAL MEMBER(S):** Councillors Joan Butterfield (c) and Ian Armstrong (c)

**OFFICER RECOMMENDATION IS TO GRANT**

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**Late response from DCC Housing and Community Development Service**

Support the provision of good quality self-contained accommodation as this will meet an increasing demand for one and two bed properties in Rhyl. Welfare reform means there is a demand and, providing space standards are met, the proposal meets the Councils housing strategy.



## Policy ASA 3 – Parking standards

Development proposals, including changes of use, will be expected to provide appropriate parking spaces for cars and bicycles. If the use of a property or premises requires parking infrastructure for mobility impaired people, these facilities will be taken into account when determining the amount of parking space required. Consideration will be given to the following circumstances (where they apply) in determining parking provision:

- The site is located within a high-densely populated area;
- Access to and availability of public transport is secured;
- Parking is available within reasonable distance of the site;
- Alternative forms of transport are available in the area.

### National Policy Links

Planning Policy Wales:  
Chapter 8 – Transport

Technical Advice Notes:  
TAN 18 – Transport

### Justification

Defining parking standards for new developments, changes in use and subdivision of premises into independent units helps to reduce unnecessary land-take, and to implement well designed parking infrastructure throughout the County.

Choice of travel can be influenced by the availability of parking facilities. Maximum parking standards will be applied throughout the County to reduce the over-reliance on the car. Their purpose is to minimise individual car-based trips and to promote sustainable transport means. However, the need to avoid exacerbating parking and congestion problems in surrounding areas has to be a priority.

**This policy will contribute to meeting Objective(s):**  
5: Transport.

