

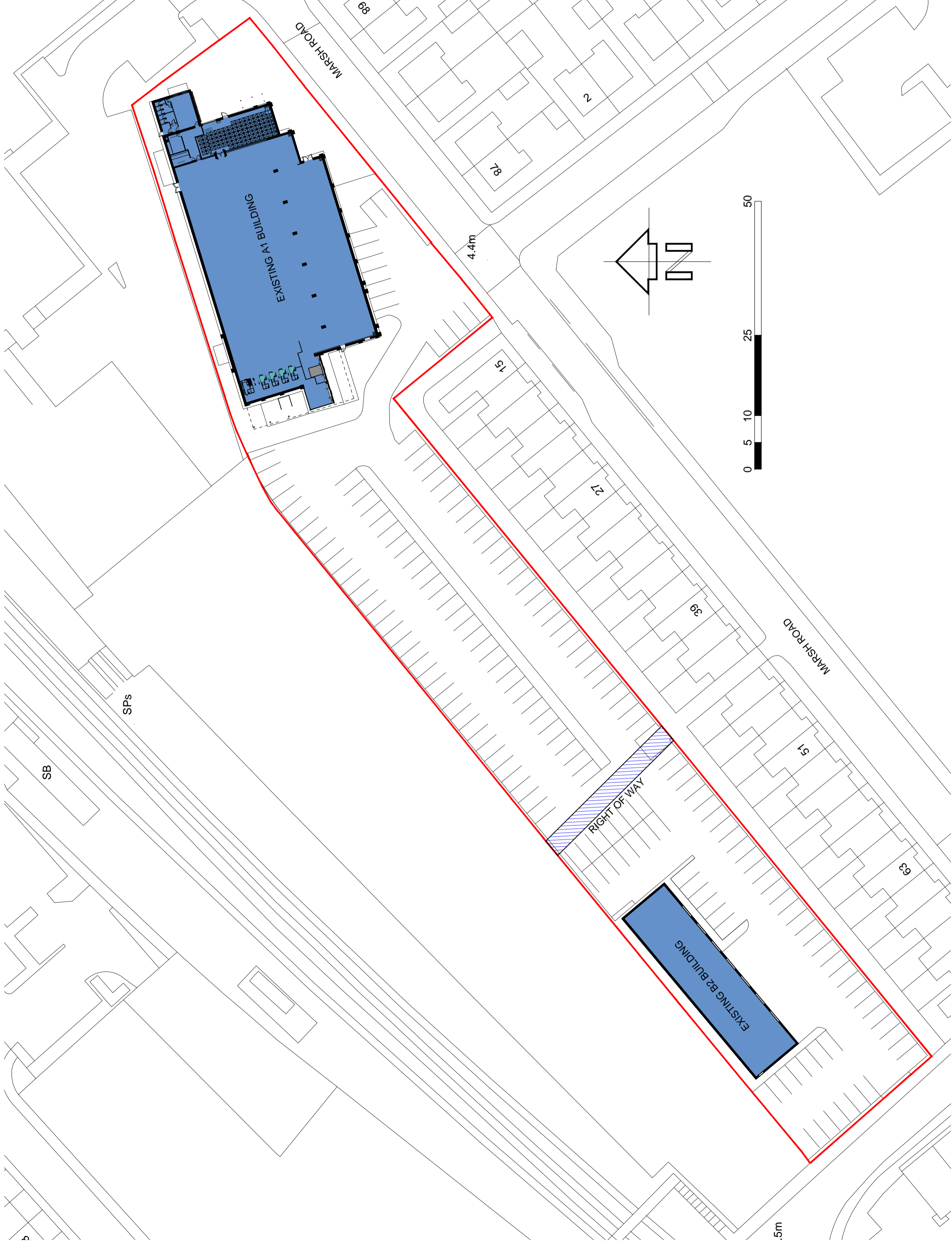
45/2015/0786


Scale: 1:2500

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SUBJECT TO SURVEY AND LOCAL
AUTHORITY APPROVAL

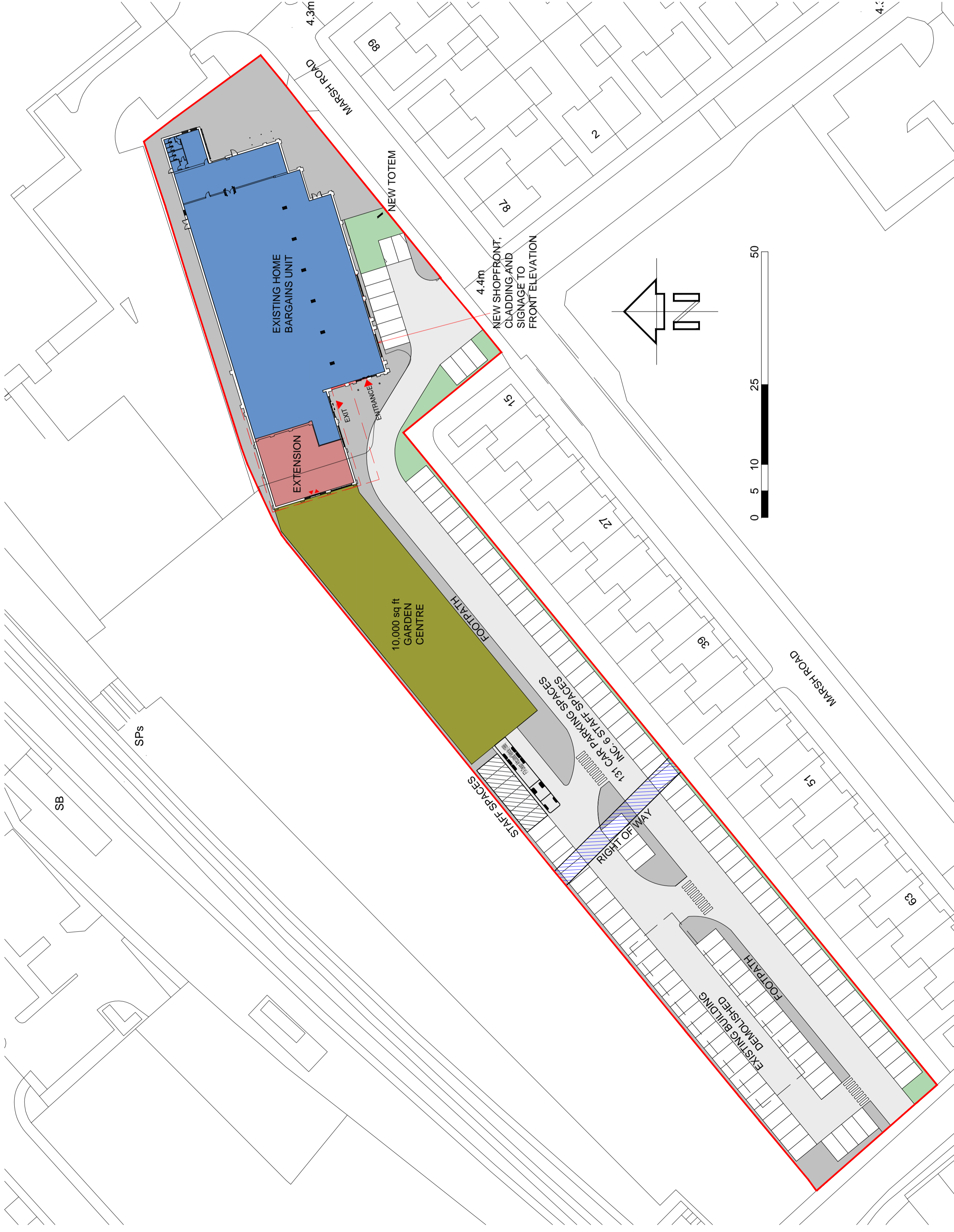
EXISTING A1 UNIT AREA	1350m ² / 14530ft ²
EXISTING B1 UNIT AREA	375m ² / 4037ft ²
EXISTING TOTAL AREA	1725m ² / 18568ft ²
SITE AREA	7820m ²
TOTAL CAR PARK SPACES	168



REV.	DATE	AMENDMENT
 <p>WPL Consulting LLP 1 Airport West Lancaster Way Leeds LS19 7ZA Tel: 0113 202 9444 Fax: 0113 202 9333 E-mail: mail@wplconsulting.co.uk</p>		
<p>PROJECT TITLE HOME BARGAINS RHYL MARSH ROAD RHYL</p>		
<p>DRAWING TITLE PROPOSED EXTENSION EXISTING SITE LAYOUT</p>		
PROJECT No:	DRAWING No:	REVISION:
7981	101	-
SCALE:	DATE:	DRAWN BY:
1/500 @A2	25.07.15	OB
CHECKED BY:	DATE:	

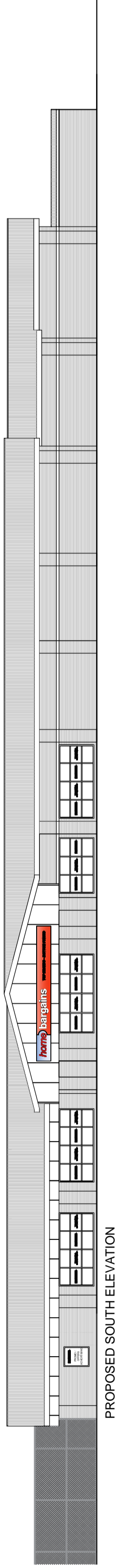
EXISTING UNIT AREA	1350m ² / 14530ft ²
PROPOSED EXTENSION	185m ² / 1980ft ²
PROPOSED GARDEN CENTRE	931m ² / 10,000ft ²
SITE AREA	7820m ²
TOTAL CAR PARK SPACES	131

REV.	DATE	AMENDMENT
 <p>WPL Consulting LLP 1 Airport West Lancaster Way Leeds LS19 7ZA Tel: 0113 202 9444 Fax: 0113 202 9333 E-mail: mail@wplconsulting.co.uk</p>		
PROJECT TITLE HOME BARGAINS RHYL MARSH ROAD RHYL		
DRAWING TITLE PROPOSED EXTENSION SITE LAYOUT		
PROJECT No:	DRAWING No:	REVISION:
7981	100	-
SCALE:	DATE:	DRAWN BY:
1/500 @A2	25.07.15	OB
CHECKED BY:	DATE:	

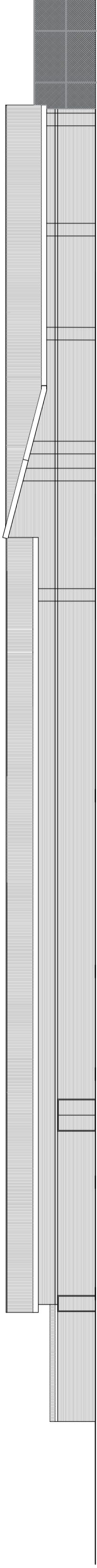


EXISTING UNIT AREA	1350m ² / 14530ft ²
PROPOSED EXTENSION	185m ² / 1980ft ²
PROPOSED GARDEN CENTRE	931m ² / 10,000ft ²
SITE AREA	7820m ²
TOTAL CAR PARK SPACES	131

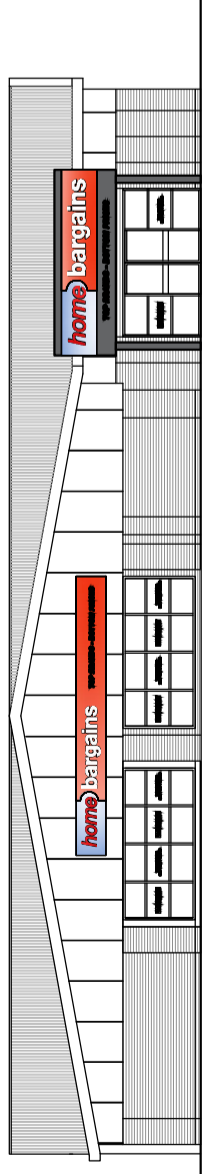
PROPOSED EXTENDED A1 UNIT



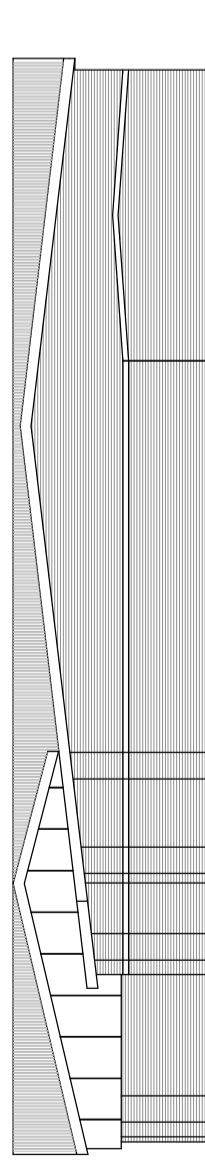
PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION




PROPOSED WEST ELEVATION



PROPOSED EAST ELEVATION

EXISTING UNIT AREA	1350m ² / 14530ft ²
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REV.	DATE	AMENDMENT
 <p>WPL Consulting LLP 1 Airport West Lancaster Way Leeds LS19 7ZA Tel: 0113 202 9444 Fax: 0113 202 9333 E-mail: mail@wplconsulting.co.uk</p>		
PROJECT TITLE HOME BARGAINS RHYL MARSH ROAD RHYL		
DRAWING TITLE PROPOSED EXTENSION PROPOSED ELEVATIONS		
PROJECT No:	DRAWING No:	REVISION:
7981	102	-
SCALE:	DATE:	DRAWN BY:
1/500 @A2	25.07.15	OB
CHECKED BY:	DATE:	

WARD : Rhyl South West

WARD MEMBER(S): Cllr Pat Jones (c)
Cllr Pete Prendergast (c)

APPLICATION NO: 45/2015/0786/ PF

PROPOSAL: Erection of extension and alterations to existing retail unit and demolition of building at southern end of site

LOCATION: Home Bargains Marsh Road Rhyl

APPLICANT: Home Bargains

CONSTRAINTS: Section 106

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 – 4 or more objections received

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL:

“No objection subject to an appropriate traffic management plan being implemented in respect of the access and egress to the site with specific consideration to signage following the introduction of the Denbighshire County Council Various Roads Rhyl (20mph Speed Restriction) (Experimental Order 2015)”

NATURAL RESOURCES WALES:

“No objection. Having considered the limited scale of the proposed development, and considering that that the footprint of the proposed extension is smaller than the footprint of the building that is to be demolished, we consider the risks could be acceptable. This is subject to the developer being advised to install Flood Proofing measures as part of the development. Further advice and guidance on this is available on the following websites”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Highways Officer

No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mrs. B. Jones, 17, Marsh Road, Rhyl (Petition) - 26 Addressed Signatories

Summary of planning based representations in objection:

Impact on highways - Increased traffic

Impact on amenity - increased litter and noise

EXPIRY DATE OF APPLICATION: 01/10/15

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant

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

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for the erection of an extension and alterations to Home Bargains retail unit and the demolition of a vacant building at southern end of site.
- 1.1.2 The proposed unit will comprise of an additional 185m² of internal retail area and 929m² garden centre (total addition of 1114m²). The existing store is 1350m² on the 0.78 hectare site.
- 1.1.3 There are 168 parking spaces existing. The proposal would include a loss of 37 spaces leaving a total of 131 parking spaces.

1.2 Description of site and surroundings

- 1.2.1 The proposed site is located on Marsh Road, Rhyl. The site is situated in a mixed area of residential, retail, leisure and public services. The main site access from Marsh Road is to be retained along with the secondary access to the southwest of the site.
- 1.2.2 The application site is currently used as car parking area.
- 1.2.3 There are a number dwellings which back on to the site to the south.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of Rhyl, and is within a C1 flood-zone.

1.4 Relevant planning history

- 1.4.1 None

1.5 Developments/changes since the original submission

- 1.5.1 Flood Consequence Assessment submitted.

1.6 Other relevant background information

- 1.6.1 None

2. DETAILS OF PLANNING HISTORY:

- 2.1 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
 Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy PSE6 – Retail economy
Policy PSE7 – Proposals for new retail development
Policy PSE9 – Out of centre retail development
Policy ASA3 – Parking standards

- 3.1 Supplementary Planning Guidance
 SPG Parking

3.2 Government Policy / Guidance

- Planning Policy Wales Edition 7 July 2014
- Technical Advice Notes
- TAN 15: Flooding
- TAN 18: Transport

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 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 relate 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 in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Drainage (including flooding)
- 4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the defined development boundary for Rhyl, where the general principle of development is considered acceptable. The site is outside of the defined town centre of Rhyl.

Policy PSE 9 'Out of Centre Retail development', offers support for small scale retail uses within development boundaries but out side of town centres provided they are less than 500m², serve the local area, do not form part of an industrial estate and do not jeopardise the viability and vitality of town or district centres.

The proposal being considered involves the minor extension to an existing out of town centre retail unit, and the creation of a 939m² outdoor garden centre to be run as ancillary to the main unit.

In assessing the proposals acceptability against the first criteria of Policy PSE 9, it is considered that although the garden centre element exceeds 500m², the nature of the proposed use is not one considered to be practicable within a town centre. Planning Policy Wales, Chapter 10 states that "*some types of retailing, such as stores selling bulky goods and requiring large showrooms, may not be able to find suitable sites in town centres. Such stores should be located at edge of centre sites or, where such sites are not available, at locations accessible via a choice of means of transport.*" It is considered that the proposal complies with this approach.

In relation to the remaining criteria of Policy PSE 9 it is considered that the proposal would serve the local area, as it is of a scale unlikely to have a significant appeal much beyond the local area, that the site does not form part of an industrial estate, and given the proposal is for a garden centre and minor extension to an existing retail unit, is unlikely to jeopardise the viability and vitality of Rhyl's town centre.

It is considered therefore that the proposal is acceptable in principle.

4.2.2 Visual amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

The proposal includes an extension to the south west elevation of the existing Home Bargains building. It would measure 18m x 16 and continue the same roof form as the existing. It would include the reconfiguration of the entrance to the store and a new exit to the proposed garden centre. The garden centre would be located within the car park, with the boundary being delineated with a 2.4m high fence. Details of the fencing have not been provided.

With regard to the character of the surrounding area it is considered that the proposal is unlikely to have an unacceptable impact upon the visual amenity of the area. However, given the lack of detail for the fencing, it is suggested that a condition requesting further details be imposed.

4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

There are residential properties located along the southern boundary of the site. The rear elevations of the dwellings are approximately 25 metres from the proposed 'garden centre'. Neighbouring residents have submitted a petition expressing concerns that the proposal will result in additional noise pollution and extra activity at the site (deliveries etc). Officers also consider there is the potential for the outdoor retail area to be floodlit, and have music playing as is not uncommon at other uses of this type.

In respect of the concerns regarding noise and additional activity at the site, whilst it is accepted that there is such a potential, consideration must also be given to the loss of the B1 Light industrial unit. This unit could, in theory, still be used as a B1 light industrial unit in its own right and therefore generate additional noise and activity. Notwithstanding this, it is Officers opinion that the additional activity resulting from the proposed extension and garden centre is unlikely to be significant enough to justify a refusal when considered alongside the loss of the B1 unit. However given the increase in the size of the retail unit it is considered that it is not unreasonable to impose conditions to restrict the hours of delivery in the interest of protecting residential amenity. Similarly, regarding the potential for external lighting and music to be played it is considered reasonable to impose conditions requiring details of lighting to be further agreed and the prohibition of external music being played. The distance between the outdoor garden centre and the rear elevations of the adjacent dwellings is considered sufficient to avoid any harmful loss of privacy.

In considering the proposals, impact upon residential amenity and the comments of neighbouring residents have been considered and noted. However, having regard to the existing situation, and potential planning conditions, it is considered the proposal would not result in an unacceptable impact upon the amenity of residents.

Concerns have been raised in relation the issue of litter it is not considered that the proposal itself would be directly responsible for levels of litter generation that would lead to an unacceptable impact on amenity.

4.2.4 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

The site lies entirely within a C1 flood zone. A Flood Consequence Assessment has been submitted as part of the application, and this has been considered by NRW. It is the view of NRW that *'having considered the limited scale of the proposed development, and considering that that the footprint of the proposed extension is smaller than the footprint of the building that is to be demolished, we consider the risks could be acceptable. This is subject to the developer being advised to install Flood Proofing measures as part of the development.'*

With regard to the submitted FCA and the comments of NRW, it is considered that the proposal is acceptable in terms of flooding.

4.2.5 Highways (including access and parking)

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development. County Council Supplementary Planning Guidance Note: Parking, contains criteria relating to parking requirements in development.

There are currently 168 parking spaces existing. The proposal would include a loss of 37 spaces leaving a total of 131 parking spaces. SPG Parking advises that for garden centres there should be 1 parking space per 20m² of floor space, and for retail units there should be 1 space per 40m². The garden centre element would therefore require approximately 45 spaces, and the retail element would require approximately 38 spaces, a total of 83 spaces. The Design and Access Statement states that servicing to the unit will be achieved by using the existing service yard accessed from Marsh Road, which is the segregated route into the site. The Highway Authority has not raised an objection to the proposal. The Town Council have requested that signage be installed that notifies customers leaving the site that a localised speed limit is in force. It is considered that this matter can be dealt with by condition.

On the basis of the information submitted, and the response of the Highway Authority, it is considered that the proposal is acceptable in terms of its impact upon the highway network, and therefore complies with the relevant planning policies and guidance.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The proposal represents the expansion of an existing business, which is supported in principle by the Local Authority. The impacts of the proposal have been assessed and it is considered unlikely to result in harm to the character of the area, or the amenity of neighbouring residents.

RECOMMENDATION: GRANT- subject to the following conditions:-

RECOMMENDATION: GRANT- for the following reasons:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
 - (i) Existing elevations (Drawing No. 103) received 7 August 2015
 - (ii) Proposed elevations (Drawing No. 102) received 7 August 2015
 - (iii) Existing floor plans (Drawing No. 105) received 7 August 2015
 - (iv) Proposed floor plan (Drawing No. 104) received 7 August 2015
 - (v) Existing site layout (Drawing No. 101) received 7 August 2015
 - (vi) Proposed site layout (Drawing No. 100) received 7 August 2015
 - (vii) Location plan (Drawing No. L01) received 7 August 2015
3. The demolition of the B1 industrial unit shall be undertaken and the car park as shown on the approved plans shall be laid out prior to work commencing on the extension to the main building and garden centre.
4. Deliveries shall not be taken at or dispatched from the site outside the hours of 08:00 to 18:30 Monday Saturday
5. Full details of the appearance and materials for the fencing around the 'garden centre' area shall be submitted to and approved in writing by the Local Planning Authority prior to its erection and the development shall proceed in accordance with those details as approved.
6. No sound amplification equipment or loudspeakers shall be operated in the external areas of the site.
7. No external lighting shall be installed in the 'garden centre' area with the prior written approval of the Local Planning Authority as to the details of the design, siting and luminance levels.
8. Details shall be submitted to and approved in writing by the Local Planning Authority of signage to be erected to notify vehicles leaving the site of the localised speed restrictions in force on the adjacent highways network. The signs shall be installed in accordance with the approved details prior to the new development being brought into use.

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. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interest of ensuring sufficient parking is available.
4. In the interest of residential amenity.
5. In the interest of visual amenity.
6. In the interest of residential amenity.
7. In the interest of residential amenity.
8. In the interest of the safe and free flow of traffic.

NOTES TO APPLICANT:

You are advised to install Flood Proofing measures as part of the development. Further advice and guidance on this is available on the following websites:

<http://www.bluepages.org.uk/>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/451622/LIT_4284.pdf

In addition, it is recommended that you create a ""Flood Plan"", so that employees and customers are better informed on knowing what to do before, during and after a potential flood event. They should register their details with our free Flood Warning Service, so that they can receive appropriate warning. Further information is available on our website at:

<http://naturalresources.wales/flooding/what-to-do-before-during-and-after-a-flood/?lang=en>