

Sand



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45/2016/0740/PF

Scale: 1:2500

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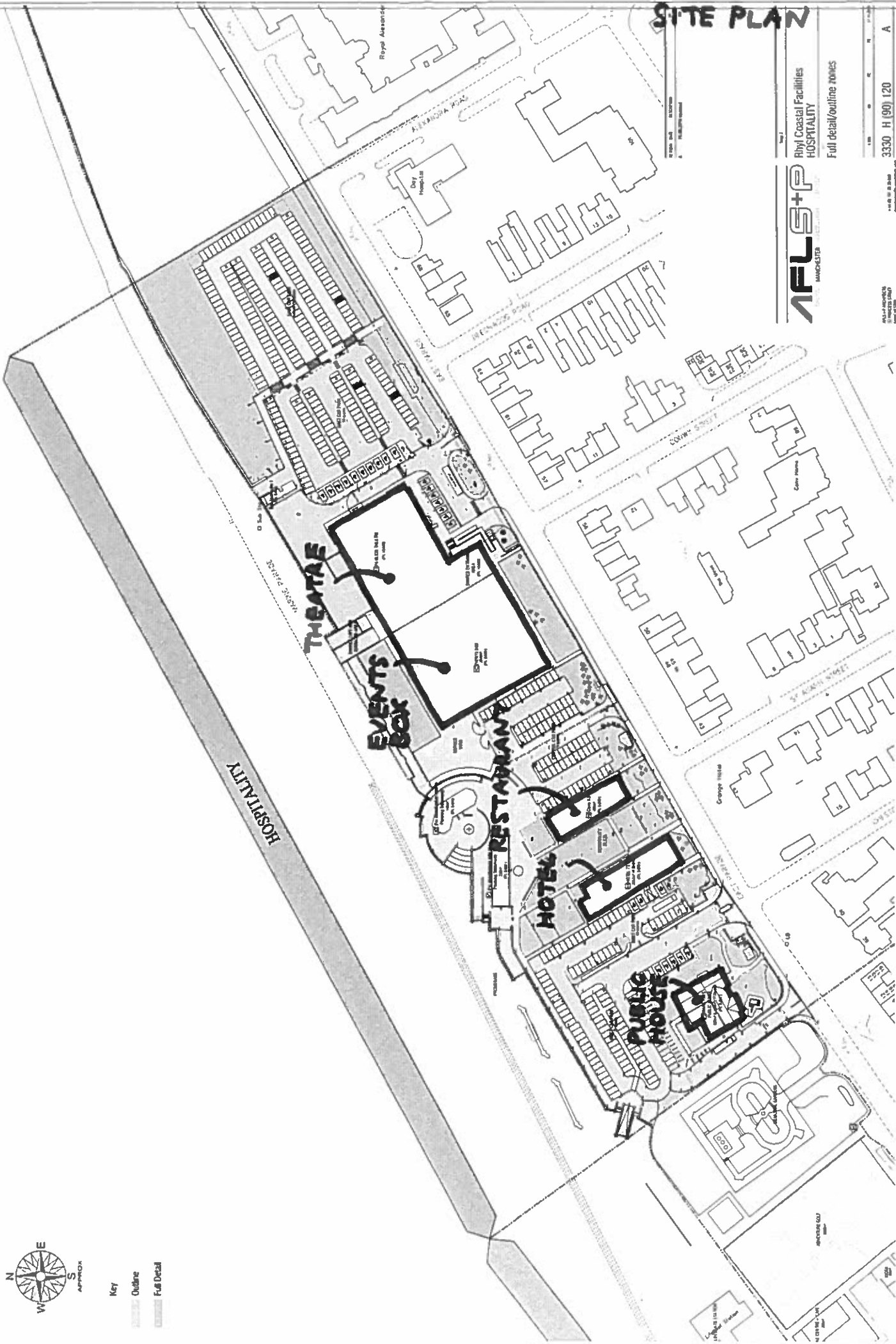
SITE PLAN

Royal Coastal Facilities
HOSPITALITY
 Full detail/outline zones



3330 H (90) 120
 A

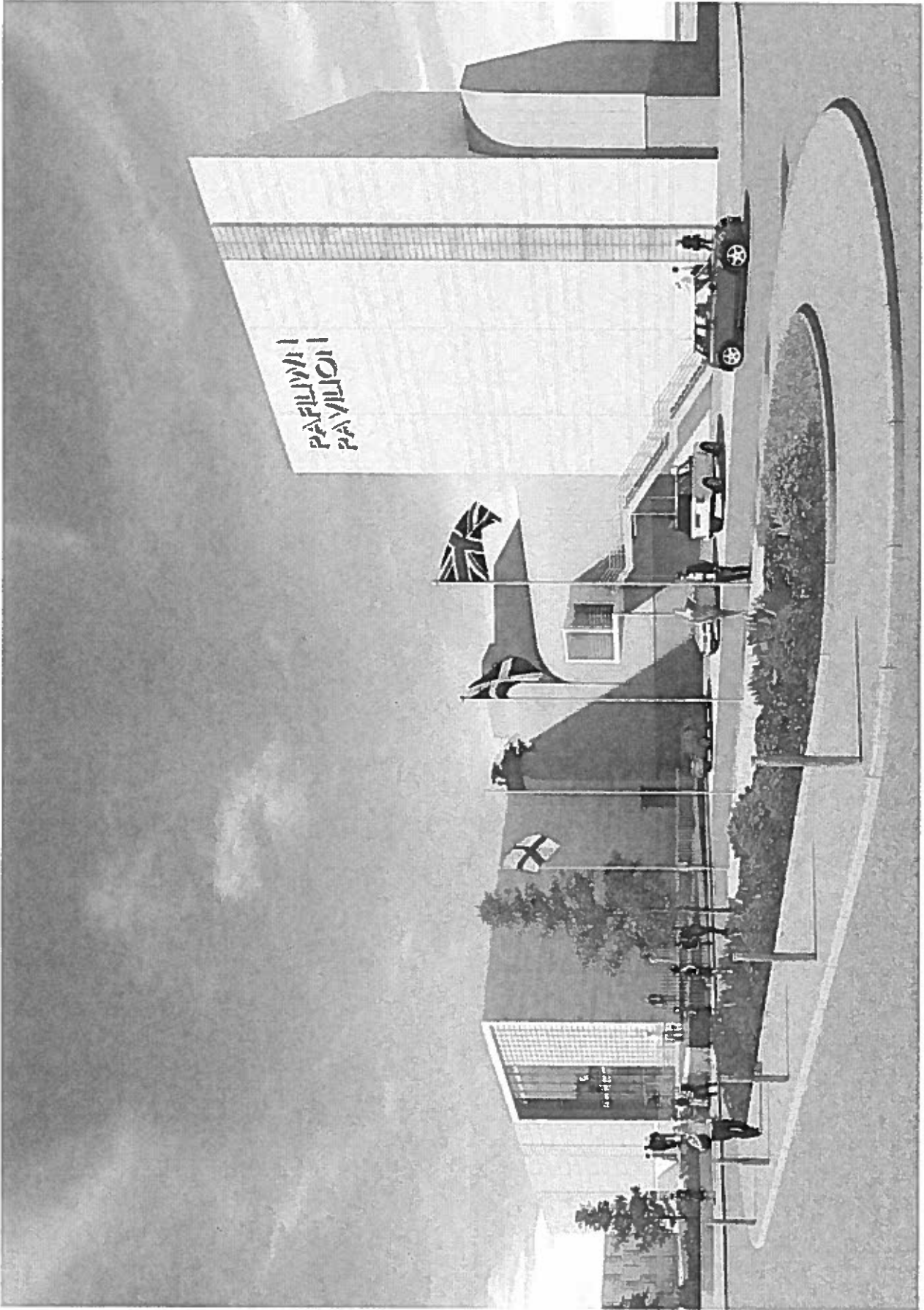
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- Key**
- Outline
 - Full Detail

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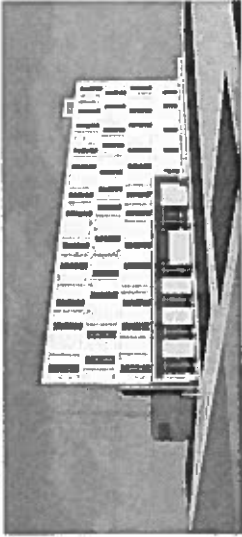
IMAGE OF
PAVILION



Rhyl Coastal Facilities- Artist impression rev A

Drawing supersedes H4(03)004

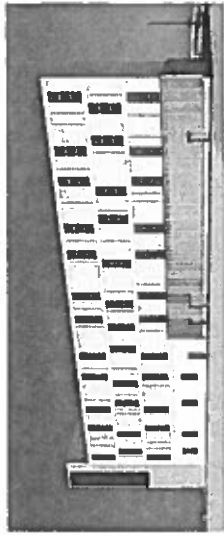
East Visual



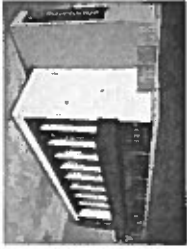
South Visual



West Visual



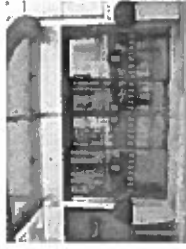
1. Tough coloured render (similar or approved)



2. UPVC Dk grey double glazed windows (similar or approved)



3. Aluminium entrance glazed screen (similar or approved)



4. Acrypa screen (similar or approved)



5. Equitone panels (similar or approved)



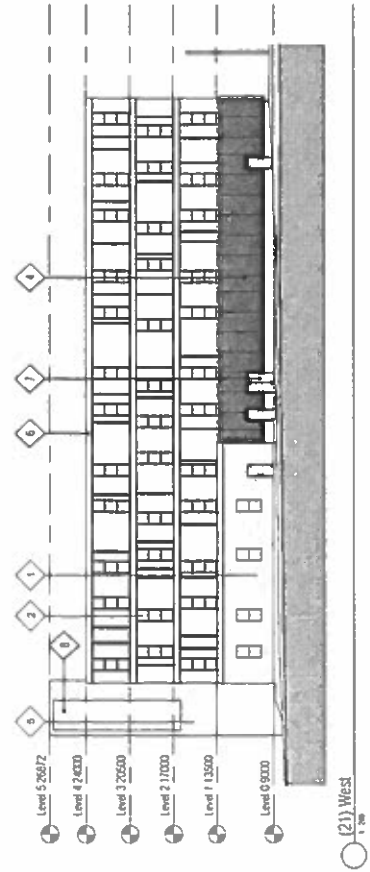
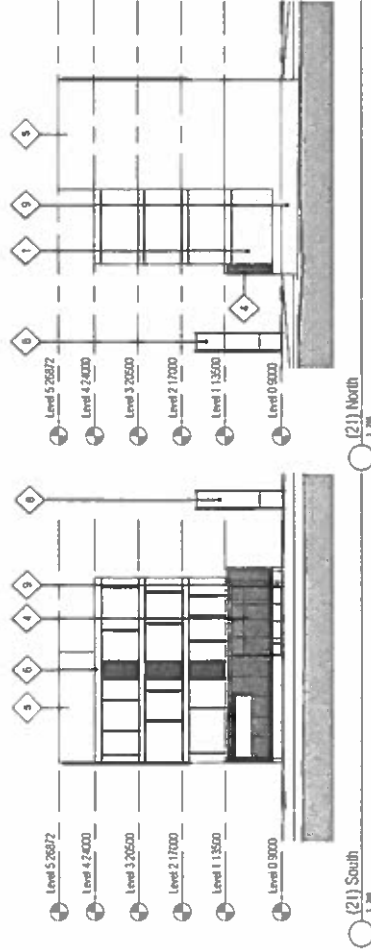
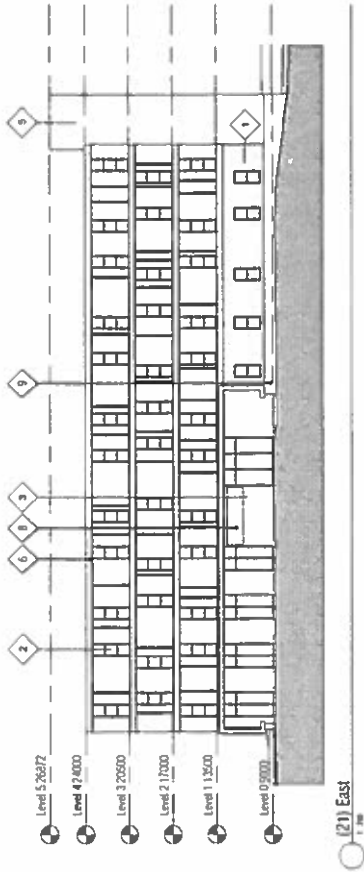
6. Powdercoated aluminium capping (similar or approved)



7. Steel faced doors (similar or approved)

8. Signs

9. Exposed concrete wall (similar or approved)



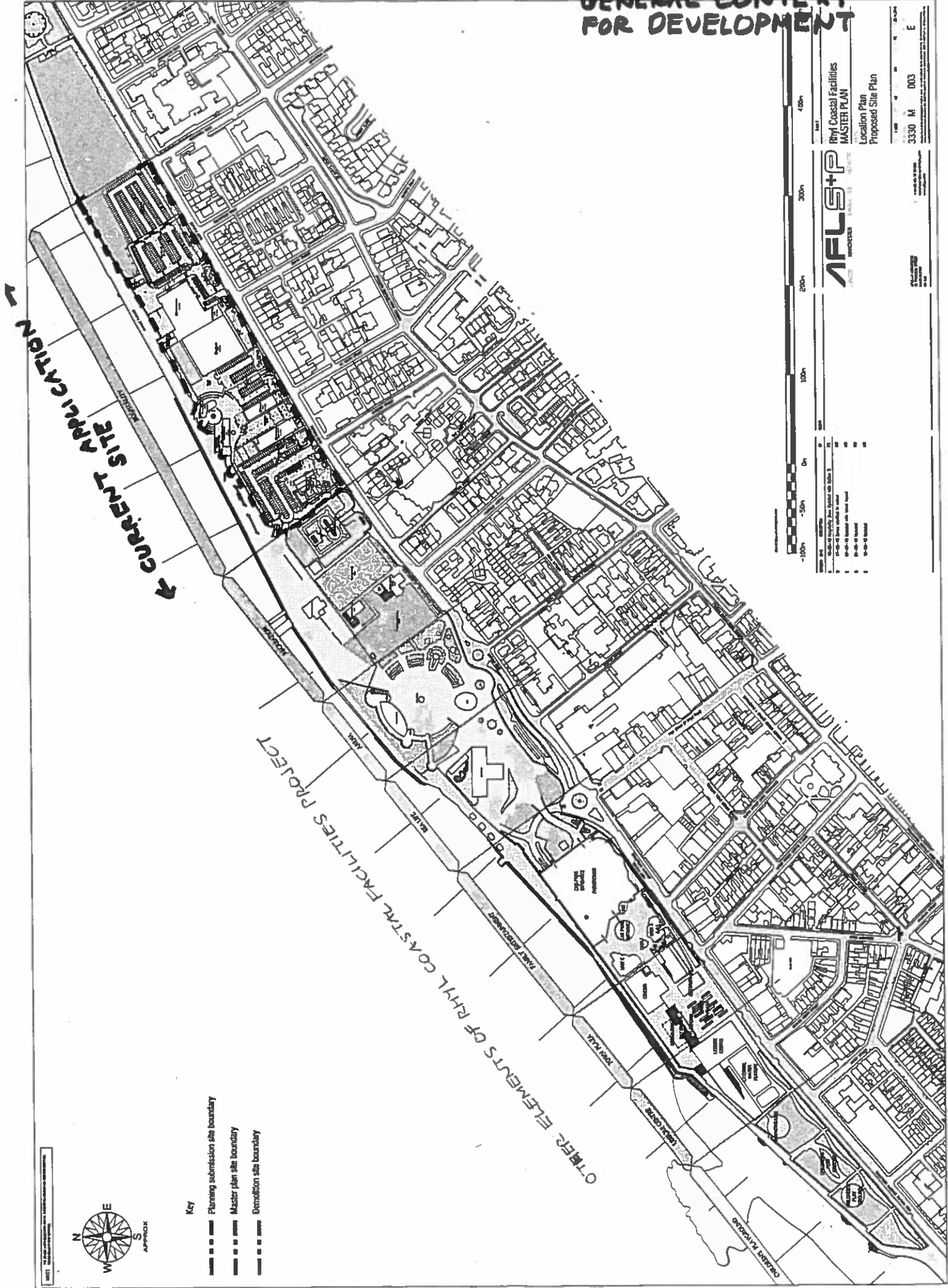
AFLS+P
 LONDON MANCHESTER BIRMINGHAM GLASGOW

PHYL COASTAL FACILITIES
 HOSPITALITY 4

Proposed Elevations

3330 H4(21)001

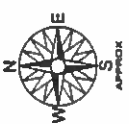
GENERAL CONTEXT FOR DEVELOPMENT



CURRENT SITE APPLICATION

OTHER ELEMENTS OF RHL COASTAL FACILITIES PROJECT

- Key**
- Planning submission site boundary
 - Master plan site boundary
 - Demolition site boundary



100m 200m 300m 400m

0 100m 200m 300m 400m

0 100m 200m 300m 400m

AFLS+P

Royal Coastal Facilities
MASTER PLAN

Location Plan
Proposed Site Plan

3330 M 003 E

WARD :	Rhyl East
WARD MEMBER(S):	Cllr Barry Mellor (c) Cllr David Simmons (c)
APPLICATION NO:	45/2016/0740/ PF
PROPOSAL:	Re-development of 4.25ha of land incorporating the following hybrid (Full/Outline) elements :- Demolition of the former "Sun Centre" and the external refurbishment of the adjoining Pavilion Theatre incorporating over-cladding. (Full)- Erection of 4,000sq.m Class D2 Exhibition/Events Centre as extension to Pavilion Theatre (Outline)- Erection of 2,825sq.m detached 73 bedroom Class C1 hotel. (Full)- Erection of 2 no. Class A3 Family Restaurants (Outline)- Retention and re-use of existing retail kiosk and land train shed building for retail/leisure/community use (Full)- New and reconfigured car/coach parking (Full)- Improvements and alterations to existing vehicular access and turning areas. (Full)- Hard and soft landscaping details (Full/Outline)
LOCATION:	Site of Pavilion Theatre and Sun Centre, and adjoining land/car and coach parks East Parade Rhyl
APPLICANT:	Neptune Developments Ltd.
CONSTRAINTS:	Article 4 Direction
PUBLICITY UNDERTAKEN:	Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

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

- 4 or more objections – recommendation to grant

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL
"No objection".

NATURAL RESOURCES WALES

Floodrisk- No objection subject to conditions requiring adherence to FCA recommendations.
Environmental Management- No objection, Recommend all site works are carried out in accordance with government guidance.
Protected Species- No objection, proposal will not impact on bats.

DWR CYMRU / WELSH WATER

No objection, subject to conditions relating to implementation of the permission and drainage details.

WALES AND WEST UTILITIES

No objection, draw attention to utilities apparatus in the area.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Archaeologist
No objection, subject to watching brief condition.

Biodiversity Officer

No objection, subject to conditions relating to house sparrow mitigation and landscaping enhancements.

Consultant Arboriculturist

No objection in principle, recommends landscaping condition and careful consideration of the soft landscaping to enhance the development and integrate it better with its surroundings.

Economic Development Officer

No objection, the Council's Tourism Growth Plan aims to improve the contribution Tourism makes to the local economy and has identified working with investors to refresh the coastal offer as a key part of this, improving quality and extending the season.

Head of Highways and Infrastructure

- Highways Officer

No objection, subject to conditions.

Pollution Control Officer

No objection, subject to conditions covering the next phases of development and construction management.

Planning Policy

No objection, proposal is broadly in line with local and national policy.

Flood Risk Manager

Concurs with the suggestion regarding a Flood Warning and Evacuation Plan, which should be a condition for the development.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Robert Wardle, 13 Glendower Court, Rhyl

Elizabeth Pike, 13 Glendower Court, Rhyl

Mr G.E. Methurst, 19 Glendower Court, Rhyl

Mrs Anna Elizabeth Jones, 15 Glendower Court, Rhyl

Mrs S Herbert and Mr BJ, 18 Glendower Court, Rhyl

Mrs Janet Doherty, 12 Glendower Court, Rhyl

Thelma Walker, 5 Glendower Court, Rhyl

P.Walker, 5 Glendower Court, Rhyl

John Penrhyn Jones, 9 Glendower Court, Rhyl

Mr and Mrs Whitehead, 1 Glendower Court, Rhyl

K.J. Forrester & LJ Blood-Forrester, 17 Glendower Court, Rhyl

Summary of planning based representations in objection:

Residential Amenity- concerns over the amenity impacts of the development (in particular the A3 public house).

Visual Amenity- concerns over appearance of development, and views from surrounding properties.

Highways Impacts-proposal would increase traffic in the area.

EXPIRY DATE OF APPLICATION: 17/11/2016

REASONS FOR DELAY IN DECISION (where applicable):

- 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 'hybrid' (part full and part outline) planning application proposes a mixed-use tourism / leisure focused redevelopment scheme around the former Sun Centre and Pavilion Theatre on East Parade in Rhyl.
- 1.1.2 The development is presented as Phase One of the Rhyl Coastal Facilities Project, which is a joint venture partnership between Neptune Developments and Denbighshire County Council aimed at regenerating the Rhyl seafront.
- 1.1.3 The application comprises of the following elements:
- Demolition of the former 'Sun Centre' building.
 - Retention of the existing theatre and its refurbishment, by over-cladding of the existing theatre.
 - Retention of both the existing retail 'kiosk' building and land train shed to be used for any combination of Class A1, Class A3 uses.
 - Retention of the Kite Surf Centre and public toilets.
 - Erection of a 73 bedroom Hotel.
 - Car parking to include reconfiguration of the existing car parks (resulting in 313 spaces overall).
 - Minor reconfiguration of existing site accesses and car / coach parking / vehicle manoeuvring areas.
 - Hard and soft landscaping, including the creation of a public space (between the hotel and Class A3 outline unit)

The 'outline' components of the application are;

- Erection of a Class D2 Exhibition Centre of 4,000 square metres floorspace as an extension to the existing Pavilion theatre.
- Erection of a Class A3 family eatery / restaurant of 455 square metres floorspace.
- Erection of a Class A3 family public house / restaurant of 645 square metres floorspace.

Members are referred to the plans at the front of the report which provide an illustration of the elements of the scheme including an indication of the scale / dimensions of buildings.

- 1.1.4 The application is accompanied by a range of supporting documents. These include:
- Design and Access Statement
This explains the design process having regard to the site constraints and planning policies. It is stated that the overall aim of the wider development is to re-establish / reinforce the town's waterfront as a focus for leisure activities, serving both the local population and a much broader visitor catchment on a year round basis. It looks to build on the best of the town's existing uses and natural assets by introducing a range of sustainable new attractions that will appeal to the local residential community as well proving attractive to people from all over North Wales and Northern England.
 - Transport Plan
This seeks to demonstrate how the public (including staff) would be encouraged to choose alternative transport modes to the site over single occupancy car use.
 - Transport Statement
The Transport Statement concludes that the site has been shown to be highly accessible by sustainable transport modes with excellent levels of walking, cycling and public transport infrastructure servicing the surrounding area of the site. The forecasted traffic associated with the development has been demonstrated to be low level in nature for the proposed hotel and

bar/restaurant uses. The proposed Events Box / exhibition centre is likely for the most part to have similar arrival and departure profiles as the former Sun Centre facility. During times when the Events Box is hosting a significant event in terms of scale of people, it is anticipated that the arrival of people will be dispersed over a prolonged period and the departure of visitors will be unlikely to coincide with peak traffic periods on the surrounding road network. Further, the propensity for linked trips to occur is a significant factor, particularly during seasonal holiday periods across the year. The development adheres and aims to promote the relevant local, regional and national policies from both the Welsh Government and also the UK Government policies.

- Statement of Community Engagement
This sets out the pre-application publicity undertaken for the site and summarises the responses provided.
- Community and Linguistic Impact Assessment
- This scores the proposal against a range of cultural and language criteria. The impact on 'Social and Cultural Aspects' are scored as positive in overall terms.
- Flood Risk Assessment and Drainage Strategy
This demonstrates the development would not result in significant risks in the event of flooding and outlines the plans proposed in relation to drainage.
- Planning Statement
This sets out the policy position in relation to the development and concludes that the application proposal is compliant with relevant policies and will deliver a range of much needed regeneration benefits and be sustainable development.

1.2 Description of site and surroundings

- 1.2.1 The application site is along the sea front of Rhyl on East Parade, and comprises of a total site area of 4.25 hectares, with a substantial part occupied by the Pavilion Theatre, former Sun Centre and its car park.
- 1.2.2 To the west of the site, the area is more open with some small buildings currently on the north western end including a retail / toilet kiosk, the former land train shed, an open tourist-related amenity area, the coach / car park, and further car park to the east with open grass land beyond.
- 1.2.3 There are residential properties opposite the site on the south side of East Parade, along with care homes and senior citizens flats. The dwellings range from two storey semis to larger four storey terraces.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhyl as shown on the Local Development Plan proposals map.
- 1.3.2 The site is also within the larger area allocated under Policy PSE13 as a Tourism Coastal Protection Zone.

1.4 Relevant planning history

- 1.4.1 An application was submitted by Denbighshire County Council to demolish the Sun Centre and create a new entrance and façade in April 2016.
- 1.4.2 This application was granted planning permission in June 2016 and the Sun Centre buildings have been demolished. The façade works have not been undertaken to date.

1.5 Developments/changes since the original submission

1.5.1 Additional information in the form of an updated Flood Consequences Assessment and Evacuation Plans have been submitted in support of the application following the original consultation response from NRW.

1.5.2 A request from neighbours was made to the Agent to re-site the A3 public House. In response to this request the Agent has advised the location is appropriate in terms of the character of the area, flood risk and delivery/servicing arrangements.

1.6 Other relevant background information

1.6.1 Additional information has been forwarded by the Project Manager in the Business Improvement and Modernisation section which explains more of the Council's Rhyl Regeneration aspirations, and where this proposal sits as part of the wider Neptune proposals and town regeneration:

'The Hospitality Zone Planning Application is an important milestone for the overall development of the Rhyl Waterfront. Developments and improvements in this area of the town, it is anticipated, will benefit Rhyl's economy through increased footfall from visitors, creating something to be enjoyed by residents of Rhyl, Denbighshire and the wider North Wales communities.

The Waterfront development forms part of a wider phased Rhyl Regeneration programme as set out below:

Hospitality Zone

- Demolition of the Sun Centre and new western façade to the Pavilion Theatre
- Internal refurbishment of the Pavilion Theatre 1st floor (Restaurant and bar)
- Improvement and extension of the current Pavilion Theatre car park
- External recladding of the Pavilion Theatre
- Development of a 73 bed hotel and family pub/restaurant
- Event box
- Third commercial unit

Family Entertainment zone

- Improvements to the Children's Village underground car park (*subject to a separate planning application*)
- Enhancement of the Sky Tower (*subject to a separate planning application*)
- New pedestrian access to the beach/promenade off the Children's Village.
- Demolition of Unit D on the Children's Village
- Creation of a Town Plaza incorporating a selection of restaurants

Aquatic Centre zone

- Development of a new Aquatic Centre with indoor and outdoor splash offer and other USP elements - (*subject to a separate planning application, due for submission pending approval to proceed from January 31st Full Council*)

Active Leisure zone

- Creation of new commercial outdoor activities in the area between Memorial Garden and the outdoor Events Arena

Work is also underway looking at a Town Centre Masterplan as part of this over all programme.'

2. DETAILS OF PLANNING HISTORY:

2.1 45/2016/0366 Demolition of Sun Centre and provision of new entrance and facade to exposed side of the Pavilion Theatre. Granted 15th September 2016.

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 RD5 – The Welsh language and the social and cultural fabric of communities

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC12 – Community facilities

Policy PSE11 – Major new tourism developments

Policy PSE13 – Coastal tourism protection zones

Policy ASA2 – Provision of sustainable transport facilities

Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance

Nature Conservation and Species Protection

Parking

3.2 Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

Technical Advice Notes

TAN 5: Nature Conservation and Planning

TAN 15: Development and Flood Risk

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 9, December 2016 (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 3.1.3). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, towards the aim of sustainability, and be fairly and reasonably related to the development concerned.

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 Ecology

4.1.5 Drainage (including flooding)

4.1.6 Highways (including access and parking)

4.1.7 Archaeology

4.1.8 Impact on Welsh Language and Social and Cultural Fabric

Other matters

Well – being of Future Generations (Wales) Act 2015

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the development boundary of Rhyl, as identified within the **Local Development Plan**. Within development boundaries, new development will, in principle be supported provided that it meets with the criteria of other policies in the Local plan and material planning considerations. This assists in working towards a sustainable pattern of development by directing most development to existing settlements thereby making the most effective use of existing infrastructure, facilities and services by reducing the need to travel.

Other relevant LDP policies are;

Policy RD 1 Sustainable development and good standard design, which sets basic tests to be applied to proposals on sites within development boundaries.

Policy RD5 Welsh language and the social and cultural fabric of communities, which states the location, scale and side of development should not cause significant harm to the character and language balance of a community.

Policy BSC12 Community facilities, which supports proposals for the provision of community facilities and their retention and improvement within development boundaries as access to community facilities is an essential element of sustainable and inclusive communities.

Policy PSE11 Major new tourism developments, which supports new forms of tourism development subject to the proposal being appropriate to its setting and within the capacity of the local environment; within the capacity of the local infrastructure; accessible to all potential users; supporting and extending the range of facilities on offer within the County; assisting in the regeneration and biodiversity objectives of Denbighshire and will utilise local labour where possible.

Policy PSE13 Coastal tourism protection zones, which acknowledges the importance of the coastal areas of Rhyl and Prestatyn to the visitor economy of the area. An integral part of the regeneration of the coastal area is to reposition the resorts to attract new and higher spending visitors with quality attractions, activities, accommodation and environment. Restricting land uses in the coastal tourism protection areas to those relating to the visitor economy is complementary to the regeneration aims for the area.

Policy ASA3 Parking standards, which seeks to ensure, in line with standards set within supplementary guidance, adequate on-site parking is provided for cars, motorcycles and cycles. In addition requisite disabled facilities are also required.

Planning Policy Wales provides the overarching national framework and land use policies for development management in Wales. A number of chapters are of relevance to this application;

Chapter 4 states that the planning system provides for a presumption in favour of sustainable development, para. 4.1.1 confirms the goal of the sustainable development is to “enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations.”

The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies that they must carry out sustainable development.

Chapter 7 which concentrates on the economy advises that it is essential that the planning system considers and makes provision for the needs of the future economy and refers to tourism as an economic land use (para 7.1.1). It goes on to say that Local Planning Authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land uses authorities should take account of the likely economic benefits of the development, the key factors include the number and types of jobs expected to be created and retained on site, whether and how far the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment, and a consideration of the contribution to wider spatial strategies, for example for the growth or regeneration of certain areas.

Chapter 10 advises on the considerations to take into account when determining a planning application for retail, commercial, leisure or other uses complementary to a retail and commercial centre.

Chapter 11 acknowledges that tourism is vital to economic prosperity and job creation in Wales and advises on the importance of well located, good quality leisure development.

Regarding the principle of the development in relation to the above policies and guidance, the redevelopment proposals submitted are considered acceptable. Members may concede that Rhyl has historically struggled to respond to changes in the visitor market and for this reason, amongst other complex factors, parts of the town - which for a long time was heavily reliant on tourism - has fallen into decline. The coastal strip between Rhyl and Prestatyn has been identified as a tourism protection zone in the LDP and the purpose of the allocation is to encourage alternative tourism and leisure provision. It is considered that the proposal fits comfortably with what may be appropriate in this allocation by providing a purpose built event space, with hotel and ancillary food and drink uses. These type of uses are likely to attract short term visitors on a more regular basis.

As confirmed and supported by the Council's Economic Development Officers, the development would inevitably bring economic advantages, both directly through employment (up to 91 full time jobs would be created), and through an increase in visitors to the town.

It is considered that the development offers the potential to make a significant contribution to the regeneration and upgrade of a prominent area in Rhyl, and would assist as a catalyst for future regeneration and subsequent developments in the Rhyl Coastal Facilities Masterplan area.

4.2.2 Visual amenity

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings.

There are individual representations expressing concerns over the visual impact of the development.

The site occupies a prominent location on the sea front off East Parade in Rhyl. The application is made in hybrid form, meaning some matters are reserved for future approval. Plans have been submitted for the theatre, hotel, parking areas and some landscaping and buildings proposed to be retained including the kiosk and land train shelter which would remain as existing. Plans for the exhibition centre, the restaurant and public house are all in outline form, with details reserved for future approval. The existing Theatre would undergo a substantial external refurbishment. The main entrance would remain as existing, albeit improved and the building would be over clad with a range of materials to give a more modern appearance. The four storey hotel would be sited parallel to the events box. It would also be finished in a range of modern materials, some of which would complement the theatre.

In respecting local concerns over the detailing, overall it is considered that the proposals by virtue of their scale, appearance and layout would make a positive visual contribution to this part of Rhyl. Whilst a modern design approach is proposed in what is essentially a Victorian seaside resort, for a development of the nature it is considered acceptable. Officers feel that a 'pastiche' approach to development would be inappropriate on this scale.

In relation to specific detailing, Officers have reservations over the ground floor of the western elevation, which it is considered requires reassessment, but this can be dealt with by a suitable planning condition. The visual amenity aspects of the general layout of the site and parking areas raise no significant issues. The incorporation of some

public space alongside the development is welcomed, however as the quality and appearance of the public realm on a major redevelopment scheme such as this site is critical to its success on a broader scale, for this reason additional hard and soft landscaping details should be conditioned.

Overall it is concluded that the development would provide a range of quality, contemporary buildings which will help regenerate the surrounding areas and these would not have a negative visual impact on the area. The proposals are therefore considered acceptable in relation to the policies and guidance listed above.

4.2.3 Residential amenity

PPW states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. It is also advised that the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties. Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself.

As noted, there are residential properties, care homes and flats opposite the site on East Parade. The dwellings range from two storey semis to larger four storey terraces. A number of representations have been received from residents at Glendower Court, a four storey flat roof apartment block to the west of the site. The occupiers are primarily concerned with the closest part of the development to them, i.e. the A3 public house.

In respect of noise and disturbance, it is acknowledged that the scheme may increase activity in the area, particularly compared to the use of the complex in recent years, when attendances have fallen significantly from former levels. However, Officers would question whether the uses proposed and the level of activity likely to arise from them in what is a busy seafront location would be so harmful and unreasonable to the occupiers of adjacent properties and the general public in the area, to warrant refusal of the scheme.

In terms of the acceptability of the design detailing and the physical impact of the development on occupiers of nearby properties, it is relevant to consider what has been present on the site and the fact it is in a prime position in a long established seaside town which is undergoing significant regeneration. Existing residential properties are all located on the opposite side of East Parade. Scaled from the plans, the proposed public house would be some 40m from the nearest properties at 39 and 40 Chester Street; the Restaurant would be some 28m from the nearest dwelling at 43 East Parade, and the Events Box would be some 30m from the nearest dwellings at 52 – 56 East Parade. These are considered reasonable distances taking into account the site is separated from residential property by East Parade, a busy coastal road. The design detailing of the elements of the scheme which are fully detailed are considered wholly acceptable and appropriate for this area. Full consideration would need to be given to the detailing of the 'reserved matters' elements and the detailing of the exhibition centre, restaurant and public house. Controls over the uses of buildings close to residential properties can be conditioned.

Overall it is not considered that the residential amenities of occupiers of residential property in the locality would be unacceptably affected by the development.

4.2.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm

to such interests. This reflects policy and guidance in Planning Policy Wales, current legislation and SPG Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

The site comprises existing buildings, parking and hardstanding areas. Prior to the Sun Centre site being cleared, ecological work was carried out to ensure protected species issues were considered when buildings were demolished. There are no objections in relation to ecological issues. As mentioned above, an improved landscaping scheme would be required to ensure appropriate tree planting and wildlife features are incorporated into the on-site landscaping, ensuring no invasive non- natural species are used.

4.2.5 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 almost entirely within Zone A as defined by Welsh Government's Development Advice Map (DAM) referred to in TAN15: Development & Flood Risk. A Flood Consequences Assessment (FCA) has been submitted to demonstrate the potential consequences of a flooding event and has considered the effects of wave action during tidal flood conditions and shows that there could be a risk to structures on the site and to users of the development. As a result, the FCA makes a number of recommendations including the introduction of a minimum floor level for all new buildings on the site. Natural Resources Wales (NRW) raised concerns over access and egress at the site in extreme flooding conditions and as a result additional information was requested to demonstrate means of escape and awareness of the issue. In relation to drainage, the application proposes to connect foul sewage to the existing mains sewer and the connect drainage to the existing drainage system. NRW have been reconsulted on the application and FCA, and have confirmed no objection in principle to the latest proposals. Dwr Cymru have confirmed that the drainage strategy proposed is acceptable subject to necessary controls being imposed, including a condition relating to the timing of the development.

Having regard to the advice of NRW and Dwr Cymru, who are the relevant experts in relation to floodrisk and development, it is considered that the proposals are acceptable in relation to flood risk and drainage, subject to conditions, and are therefore considered to be compliant with the policies and guidance. Specific matters which will need to be addressed through submission of additional details include proposals for a detailed Flood Risk Management Plan.

4.2.6 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.

There are local objections in respect of the additional traffic likely to be generated by the development.

The application proposes minor alterations to the existing access points on the site. Re-modelling and extension of the existing carparks is proposed around the development. In total, 374 parking spaces would be available across the site for day-to-day use in connection with the proposed development. It is acknowledged that the number of spaces falls short of the maximum level set out in the Supplementary planning Guidance when calculated from the different elements of the scheme if calculated as standalone developments (a total of 631 spaces). The Applicants argue that the SPG does not reflect the requirements of mixed-use schemes where parking provision may be shared between uses with varying peak demands.

The Highways Officer has been consulted on the application and has raised no objection to the principle of the proposal, and would need to assess the precise layout and detailing of the parking as part of the subsequent reserved matters application(s). Whilst the SPG maximum parking requirements would not be met, the justification for a reduced amount of parking is acceptable in Officers' opinion on the basis of the accessible location of the site close to the town centre, where there are alternative transport options. There are also alternative public car parks nearby, including at the underground car-park at West Parade. In Officers' opinion there are no reasonable highway grounds to oppose the development of the application site.

4.2.7 Archaeology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development.

The Council's Archaeologist has advised that the site is located close to an area of archaeological significance at Splash Point, where there are remains of woodland and peat deposits dating from 8000 years ago, and a prehistoric antler mattock was found on site. There is also evidence that at that time the coast line was further out into the sea as close to the site a Neolithic axe head and a Bronze Age spearhead have been found on the foreshore. Although the site has been disturbed by later development there is still the potential for features to be preserved, therefore a condition is proposed to ensure any items of archaeological significance on the site are preserved and/or recorded. Subject to the imposition of a watching brief condition it is considered that the proposal is acceptable in terms of the relevant archaeological policies.

4.2.8 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Policy RD 5 in the Local Development Plan.

The Community Linguistic Statement submitted with the application concludes that the proposals would have no negative impact on the needs and interests of the Welsh Language and cultural fabric of the area.

In Officers' opinion the proposal would not give rise to significant harm to the character and language balance of the community.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 It is the opinion of Officers that the proposals are compliant with Local Development Plan Policies and guidance in PPW and Technical Advice Notes. It is considered the development would have a positive impact on the town and is worthy of support.

5.2 In recommending the grant of permission, Officers are suggesting the imposition of a range of conditions, and recognise that due consideration would need to be given to the detailing of reserved matters proposals in terms of local impacts.

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. Approval of the details of the appearance, layout, and scale (hereinafter called "the reserved matters") of the outline elements of the application (namely the D2 Exhibition Centre, the A3 Restaurant and the A3 Public House) shall be submitted to and approved in writing by the Local Planning Authority before development on each of these elements begins, and the development shall be carried out as approved.
3. 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) Location plan (Drawing No. M(90)002 Rev. C) received 21 September 2016
 - (ii) Proposed site plan (Drawing No. M(90)003 Rev. E) received 21 September 2016
 - (iii) Full detail/outline zones (Drawing No. H(90)120 Rev. A) received 21 September 2016
 - (iv) Existing site plan Demolition (Drawing No. H(05)001 Rev. B) received 21 September 2016
 - (v) Existing site sections Sheet 1 AA, BB and CC (Drawing No. H(22)002) received 29 July 2016
 - (vi) Existing site sections Sheet 2 DD, EE and FF (Drawing No. H(22)003) received 29 July 2016
 - (vii) Proposed site sections Sheet 1 AA, BB and CC (Drawing No. H(22)012) received 29 July 2016
 - (viii) Proposed site sections Sheet 2 DD, EE and FF (Drawing No. H(22)013) received 29 July 2016
 - (ix) Site plan as existing (Drawing No. H(90)010 Rev. C) received 29 July 2016
 - (x) Existing site plan with new buildings indicated (Drawing No. H(90)011 Rev. A) received 29 July 2016
 - (xi) Site plan proposed (Drawing No. H(90)110 Rev. N) received 21 September 2016
 - (xii) Site plan proposed west car park (Drawing No. H(90)111 Rev. F) received 21 September 2016
 - (xiii) Site plan Events Box/Pavilion Theatre (Drawing No. H(90)112 Rev. B) received 21 September 2016
 - (xiv) East car park option 2 (Drawing No. H(90)115 Rev. D) received 21 September 2016
 - (xv) Existing theatre ground floor plan (Drawing No. H1(03)001) received 29 July 2016
 - (xvi) Existing theatre first floor plan (Drawing No. H1(03)002) received 29 July 2016
 - (xvii) Pavilion Theatre - Elevations North, East and West (Drawing No. H1(03)010 Rev. F) received 21 September 2016
 - (xviii) Pavilion Theatre existing - Elevations North, East and West (Drawing No. (21)001) received 29 July 2016
 - (xix) Hospitality 4 - Ground floor plan (Drawing No. H4(03)002 Rev. C) received 29 July 2016

(xx) Hospitality 4 - First, second and third floor plan (Drawing No. H4(03)003 Rev. B) received 29 July 2016

(xxi) Hospitality 4 - Proposed elevations (Drawing No. H4(21)001) received 21 September 2016

(xxii) Pavilion Theatre CGI Rev. A received 21 September 2016

4. Development on the site shall only proceed in strict accordance with a phasing strategy to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.
5. All groundworks shall be undertaken in the presence of a qualified archaeological contractor so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards laid down by the Institute for Archaeologists. A copy of the watching brief report shall be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR tel: 01938 553670 within two months of the fieldwork being completed.
6. No buildings on the application site shall be brought into beneficial use earlier than March 2018, unless the upgrading of the Waste Water Treatment Works, into which the development shall drain, has been completed and written confirmation of this has been issued by the Local Planning Authority.
7. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
8. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to full details of house sparrow mitigation measures, including the details of location and number of boxes suitable for this species.
9. The development shall be carried out in accordance with the recommendations contained in the revised Flood Consequences Assessment (FCA) (JBA, 2015s3504 Former Sun Centre Site Rhyl FCA - Report v3.2, 09/09/2016) and additional information relating to Evacuation (Area Plan, Plan and LPA Letter 19th November).
10. None of the buildings hereby permitted shall be occupied until the written approval of the Local Planning Authority has been obtained to a fully detailed Flood Risk Management Plan containing arrangements for the management of a flooding event, including advance warning measures, on site features to assist / facilitate evacuation, and detailed arrangements for the evacuation and safe movement of users of the site, having regard to the potential depth and velocity of water in an extreme flooding event. The approved Flood Risk Management Plan shall be made known to those responsible for the management of each of the facilities / businesses on the site and the Regional Emergency Planning Service (or their successors), and shall be implemented strictly as approved in a flood event, and shall remain in place at all times unless otherwise agreed in writing by the Local Planning Authority.
11. No development shall take place until the written approval of the Local Planning Authority has been obtained to a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:
 - (a) Proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of implementing the planting;
 - (b) Proposed materials to be used on any access roads, paths and other hard surfaced areas;
 - (c) Proposed earthworks, grading and mounding of land and changes in levels, retaining structures, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform, and water features;
 - (d) Proposed positions, design, materials and type of boundary treatment, including screen walls and fences, and the timing of implementing the treatment;
 - (e) Any minor artefacts and structures, including furniture, play equipment, refuse and other storage equipment, signs,
 - (f) The timing of the carrying out of the planting, landscaping, erection of screen walls and fences relative to the different elements of the development
 - (g) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas.

12. Notwithstanding the submitted details, the proposed use of external materials on the walls of the Hotel shall not be as shown, and no development shall be permitted to commence on the external faces of the walls of the Hotel until the written approval of the Local Planning Authority has been obtained to the details of all the materials and finishes it is proposed to use thereon, including, where relevant, the texture, type and colour of the finish. The development shall be carried out strictly in accordance with the details approved under this condition.
13. No sound amplification systems including the playing of music shall be permitted outside the buildings at any time, other than with the prior written approval of the Local Planning Authority.
14. No external lighting shall be installed without the formal written approval of the local planning authority to the detailing of the proposed lighting, including emergency/security lighting. The details shall include the design of the lighting and associated columns / means of fixture to buildings, their position, height, the means and intensity of illumination, hooding, the extent of illumination and the anticipated spread of light, the hours of operation of the lights, and any proposals for use of reduced intensity outside hours of operation of the business. The approved scheme shall be implemented strictly in accordance with the approved details.
15. No development shall be permitted to commence on the Box element of the scheme until the finalised building plans have been developed and a noise assessment undertaken (to ensure that any noise generated within the structure does not affect the amenity of nearby residents) and the formal written approval of the Local Planning Authority has been obtained. The development shall be carried out strictly in accordance with the details approved under this condition.
16. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction of works.
 - delivery vehicle routes to and from the site from major highway links.

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 comply with the provisions of Section 91 of the Town and Country Planning Act 1990
3. For the avoidance of doubt and to ensure a satisfactory standard of development.
4. In order to ensure development is progressed within a reasonable time frame having regard to various constraints.
5. In the interests of investigation and recording of historic/listed buildings.
6. To prevent overloading of the Waste Water Treatment Works and pollution of the environment.
7. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
8. To protect ecological interests.
9. To ensure relevant measures are undertaken to limit any risks arising from flooding.
10. In order to ensure suitable arrangements are in place at all times for the evacuation of the buildings / land in the event of an extreme flooding event.
11. In the interests of visual amenity.

12. In the interests of visual amenity.
13. In the interests of the amenities of occupiers / users of nearby properties.
14. In the interests of visual and residential amenity.
15. In the interests of the amenities of occupiers / users of nearby properties.
16. In the interest of the free and safe movement of traffic on the adjacent highway and in the interests of highway safety.