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45/2017/0575

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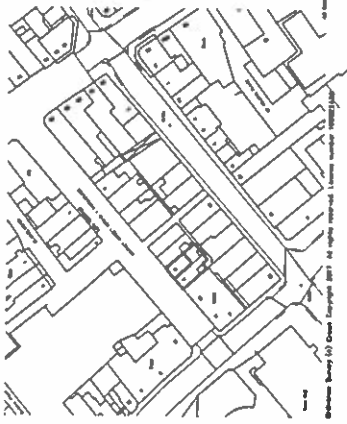
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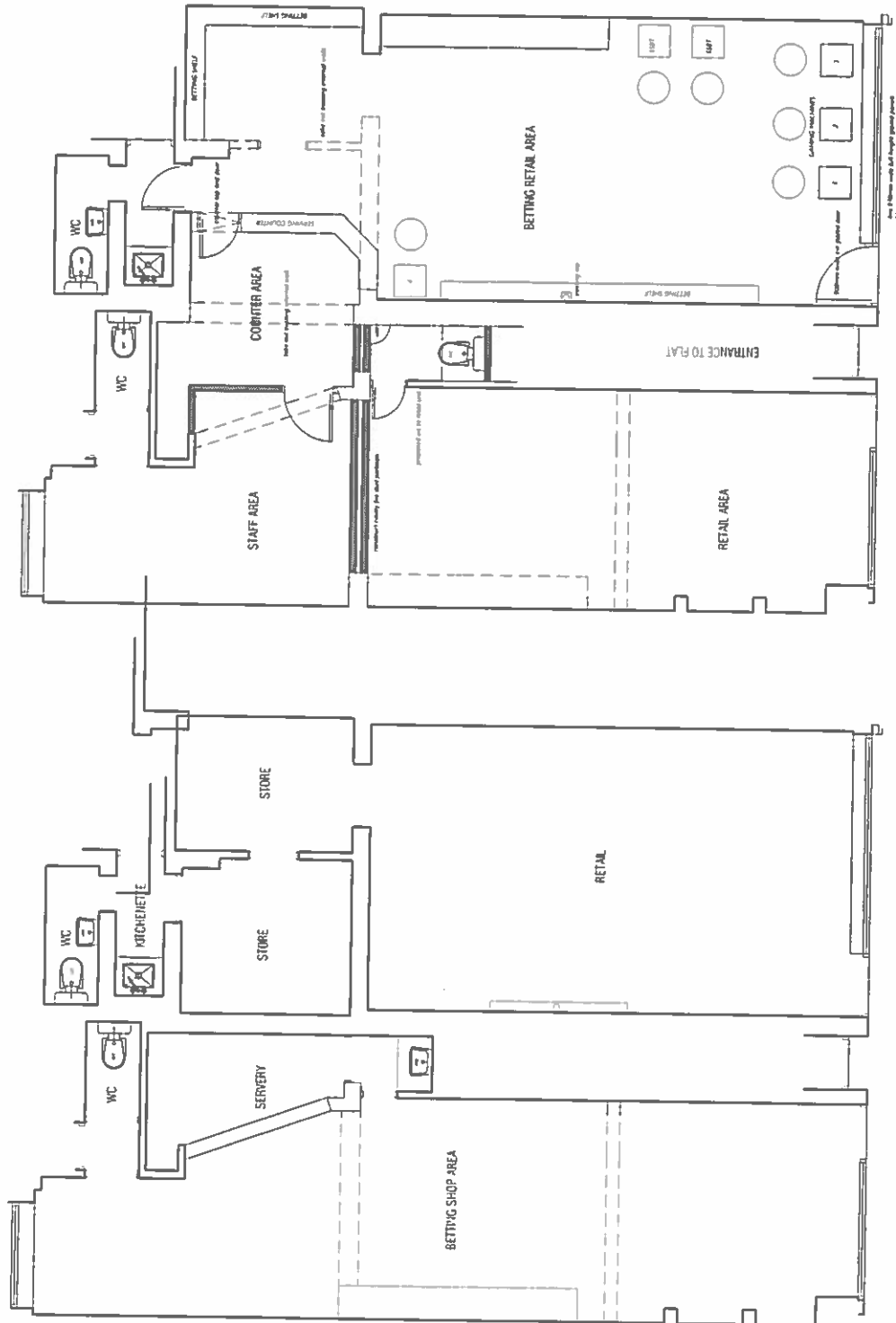
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# EXISTING & PROPOSED FLOOR PLANS



Location Plan



EXISTING FLOOR LAYOUT PLAN

PROPOSED FLOOR LAYOUT PLAN

CONSENT TO DEVELOP UNDER THE CONTROL OF THE LOCAL AUTHORITY. THIS PLAN IS FOR INFORMATION ONLY. A SEPARATE NOTICE MUST BE SUBMITTED TO THE LOCAL AUTHORITY FOR CONSENT TO DEVELOP.

|  |                                 |
|--|---------------------------------|
| <b>Parry Davies Architects.</b><br>Chartered Architects.                 |                                 |
| PROJECT NO:<br><b>9 MARKET STREET AND REAR OF 8 MARKET STREET - RHYL</b> | DRAWN BY:<br>DATE:              |
| CHECKED BY:<br>DATE:   | SCALE:                          |
| DRAWING NO:<br><b>EXISTING PLAN / PROPOSED PLAN / LOCATION PLAN</b>      | PROJECT NO:<br><b>JR 5718/3</b> |
| STUDIO: 55-58 North Wales Business Park, Abergystwyth, LL23 3J           | SHEET NO:<br><b>A</b>           |



# PROPOSED ELEVATION



corbett sports

retain security roller behind new shop sign

take out existing shop front and external door complete

reduce window sill to floor level and take away security roller complete

full height window shop front and entrance combi frame 2100mm high

all frames to be aluminium blue powder coated

900mm wide ext glazed door      4no 830mm wide full height glazed panels 2200MM full height

## FRONT ELEVATION

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|  |  |  |         |      |     |
|--|--|--|---------|------|-----|
| <b>Parry Davies Architects.</b>                          |  | <b>Chartered Architects.</b>                 |         |      |     |
| PROJECT TITLE  | 9 MARKET STREET AND REAR OF 8 MARKET STREET RHYL | DATE   | SCALE   | DRWN | CHK |
|  |  | FEB 2017                                     | 1:50@A3 | ASG  |     |
| DRWG TITLE   | PROPOSED FRONT ELEVATION                         | DRWG NOS                                     | REV     |      |     |
|  |  | 16. 5718/2                                   |         |      |     |
| Studio 55:20 North Wales Buisness Park Abergele LL18 7LJ |  | Tel 01745 585517 E-mail PDPArchitect@aol.com |         |      |     |



**WARD :** Rhyl Central

**WARD MEMBER(S):** Cllrs Alan James (c) and Joan Butterfield

**APPLICATION NO:** 45/2017/0575/ PF

**PROPOSAL:** Change of use of class A1 retail shop to class A2 financial and professional services with ancillary accommodation to rear of no. 8

**LOCATION:** 8/9 Market Street Rhyl

**APPLICANT:** Corbett Sports

**CONSTRAINTS:** C1 Flood Zone  
Conservation Area  
Article 4 Direction

**PUBLICITY UNDERTAKEN:** Site Notice - No  
Press Notice - No  
Neighbour letters - Yes

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

- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

RHYL TOWN COUNCIL

“Objection. No .8 Market Street is the last remaining A.1 retail building in this block of shops and the change of use would have an unacceptable impact on the essential retail character of this part of the principal shopping frontage within the town centre of Rhyl contrary to the intentions of Policy Objective 4 of the adopted Denbighshire Local Development Plan.”

**RESPONSE TO PUBLICITY:**

None.

**EXPIRY DATE OF APPLICATION: 21/08/2017**

**EXTENSION OF TIME AGREED? 15/09/2017**

**REASONS FOR DELAY IN DECISION (where applicable):**

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

1.1.1 The application forms state the proposals involve:

- a. the change of use of no. 9 Market Street and an area to the rear of no. 8 Market Street to a class A2 Financial and Professional Service use.
- b. the change of use of the remainder of the unit at no. 8 back to A1 retail use.



Members are referred to the plans at the front of the report to appreciate the extent of the respective uses.

1.1.2 No physical alterations are proposed to the building other than the re-glazing of the shopfront.

1.1.3 It is understood that the change of use of the remainder of No 8 to an A1 use can be undertaken as 'permitted development' under current planning regulations, i.e. without the need for planning permission.

#### 1.2 Description of site and surroundings

1.2.1 No. 8 is currently operating as Corbett Bookmakers and the adjacent unit at no. 9 is a vacant A1 retail unit.

1.2.2 The site is located on Market Street in Rhyl Town Centre. To the west is a vacant A3 Fish and Chip Shop and to the east is an A3 café. Opposite the units is the Wilko retail store.

#### 1.3 Relevant planning constraints/considerations

1.3.1 The site is located in what is a 'Town Centre' area as shown on the Proposals map in the Local Development Plan, to which Policy PSE 8 applies.

1.3.2 The site is also within the Rhyl Central Conservation Area.

#### 1.4 Relevant planning history

1.4.1 No relevant planning history.

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

1.5.1 None.

#### 1.6 Other relevant background information

1.6.1 The plans show the unit at no.8 would be changed to an A1 use should the use of no. 9 be permitted. It is the Applicants intention to simply relocate the existing Corbett Bookmakers shop to a larger unit (i.e. no. 9).

1.6.2 The change from A2 to A1 is 'permitted development' therefore this has not been included in the description of the planning application.

## 2. **DETAILS OF PLANNING HISTORY:**

2.1 None.

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

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD1** - Sustainable development and good standard design

**Policy PSE 1** - North Wales Coast Strategic Regeneration Area

**Policy PSE8** - Development within town centres

**Policy VOE1** - Key areas of importance

#### 3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

3.3 Other material considerations

## 4. **MAIN PLANNING CONSIDERATIONS:**



In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 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' (PPW 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, and fairly and reasonably relate to the development concerned (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations 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 (DMM section 9.4).

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

Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application proposes a change of use of an existing A1 use to an A2 use.

Policy PSE 1 of the Local Development Plan is of relevance as it states the Council will support proposals which retain and develop a mix of employment generating uses in town centres. As the site is located in the Rhyl Town Centre Policy PSE 8 allocated area, this policy also applies. It advises that development proposals within town centres defined on the proposals maps will be permitted provided that they enhance the vitality and viability of the town centre and they do not result in an unacceptable imbalance of retail and non-retail uses.

Rhyl Town Council has objected to the application on the basis that it would conflict with Local Development Plan Objective 4 which aims to re-establish Rhyl as one of the sub-region's most attractive shopping centres.

An A2 use is proposed at no.9. This use is defined as a 'financial and professional service'. No. 9 is currently vacant. The existing use of no. 8 at present is A2 and the application plans and documents indicate that if permission is permitted for change of use of no. 9, the use of no. 8 would be changed to an A1 shop.

Planning policy requires that proposals should only be permitted where they enhance the vitality and viability of the town centre and do not result in an imbalance of retail and non-retail uses. Looking at the proposal in the context solely of Market Street, it would result in the loss of an A1 unit in no. 9 and its replacement with an A1 use in a marginally smaller unit in no.8. On this basis, Officers respectfully suggest it would be difficult to sustain an argument that there would be an obvious loss of vitality and viability in the town centre or that this would result in an unacceptable imbalance of retail and non-retail uses, to the point where a refusal could be sustained, with any prospect of supporting it with evidence on appeal.

4.2.2 Visual amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of character, design and materials, which are matters relevant to the visual impact of development. Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. Planning Policy Wales stresses the importance of protecting the historic environment, and in relation to

Conservation Areas, to ensure they are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls. The basic objective is therefore to preserve or enhance the character and appearance of a Conservation Area, or its setting.

The application proposes change of use of no. 8 and 9 Market Street and some minor alterations to the shopfront. The site is located within the Rhyl Central Conservation Area but is not a building of architectural or historic merit.

Considering the nature of the development, the character of the adjacent buildings and the surrounding area it is the opinion of Officers that the proposal would not conflict with the relevant planning policies.

#### 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 In conclusion, subject to conditional control over the use of the two units, the proposal is considered acceptable under the relevant policies and therefore recommended for grant.

### **RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 13th September 2022.
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 front elevation (Drawing No. 16.5718/1) received 7 June 2017
  - (ii) Proposed elevations (Drawing No. 16.5718/2) received 7 June 2017
  - (iii) Existing and proposed floor plans and location plan (Drawing No. 16.5718/3 rev A) received 7 June 2017
  - (iv) Block plan (Drawing No. 16.5718/B1) received 7 June 2017
3. The use of no. 9 Market Street as an A2 Financial and Professional Service use shall not be permitted to commence until the cessation of the A2 Financial and Professional Service in no.8 Market Street.

### The reasons for the conditions 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. To comply with LDP planning policy to ensure that the primary function of the town centre is not eroded by incremental non-retail development.