



45/2017/0677

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WARD : Rhyl East

WARD MEMBER(S): Cllr Tony Thomas (c)
Cllr Barry Mellor

APPLICATION NO: 45/2017/0677/ PF

PROPOSAL: Change of use of dwelling to family assessment centre incorporating four units of temporary accommodation

LOCATION: 50 Bath Street Rhyl

APPLICANT: Mrs Karen Waring 38.6 Solutions

CONSTRAINTS: Listed Building
Conservation Area
Article 4 Direction

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

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

"No objection".

NORTH WALES POLICE - Local Policing Services Superintendent

'Support the centre which aims to assist mums and babies. We know that the start that a child has in life will have a significant impact on their development and this can therefore only assist in the long term. Our Safer neighbourhood Team is aware and will be attending the opening so NWP and the centre start off with good relationships.'

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Built Environment

Confirm the proposal would be a material change of use requiring Building Regulations consent.

Education and Children's Services

'Education and Children's Services is not in support of the planning application for 50 Bath Street for the following reason:

Denbighshire has not made a placement of this sort for over 25 years. The Denbighshire approach is to secure placements in a Foster Home setting for a number of good reasons which include securing access to model parenting with proven resilient established carers. We do not consider that the type of provision proposed is able to offer the environment we are committed to providing. Therefore, we do not place in this type of environment and would not be looking to do so because this type of accommodation does not provide the nurturing support that we feel is required and is cost prohibitive. Therefore, the service would not be looking to commission placements from this source and the unit would be seeking to accommodate those requiring placements from out of county. The concern would be the pressure placed on services as a result of vulnerable young people moving in from out of the area.

We support the Community Support view that potentially vulnerable young women and their babies would be located in area of mixed accommodation which could also present potential risk.'

Community Safety Partnership Manager Conwy and Denbighshire

'This is a difficult one. It is a very much needed service as I am sure colleagues in Social services would say, however there have been social issues and problems in Rhyl specifically around drug and alcohol services.

I don't feel that the current issues we have will be in anyway increased with this type of temporary accommodation and support as it is different, but there are a high concentration of services in Rhyl already which have caused concern to some. I would also say that if you are bringing in people from other areas for the support that this could cause some issues as DCC supporting people have been working hard on implementing a family connection policy. Bath Street has not come up as a crime hot spot area on any of our antisocial behaviour task meetings.

As this service is a social service type of service, I would hope you get a reply from SSD about the need which will then help you with that balanced view you require. '

Economic and Business Development Manager

Expresses concern around the cumulative impact on a neighbourhood and concerns regarding impact on the other local services listed. The Council have been working towards reducing the attractiveness of Rhyl as a destination for people with high support needs, whilst at the same time aiming to support our existing residents to improve their quality of life.

Community Support Services

'Whilst CSS agree that the proposed Service is needed we would object to the planning application at 50 Bath Street on the following two counts:

1. Vulnerable young mothers and children would be located in an area of risk to them, given the level of antisocial behaviour and drug and alcohol misuse issues in the vicinity.
2. The service would accommodate young mothers and children from outside of the immediate area which may result in medium to long-term additional pressure on existing support services within the town including Council resources.'

Strategic Housing and Policy Manager

Concerns raised about the risk of replicating the issues of West End by moving them to Bath Street. There are already several supporting agencies for vulnerable people operating in this small neighbourhood.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Miss Joyce Reid, Flat 2, 48 Bath Street, Rhyl

Summary of planning based representations in objection:

Concerns over anti-social behaviour.

EXPIRY DATE OF APPLICATION: 15/10/2017

EXTENSION OF TIME AGREED: N/A

REASONS FOR DELAY IN DECISION (where applicable):

- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes the change of use of 50 Bath Street in Rhyl from a single dwelling to what is described as a family assessment centre, incorporating four units of temporary accommodation.

- 1.1.2 The internal layout would comprise of a ground floor meeting room, office, kitchen, utility and bathroom, with communal lounge and bedrooms and bathrooms on the upper floors. Externally there would be a yard with play area, store and smoking shelter.
- 1.1.3 The proposals have been clarified in the course of processing the application. In relation to the amended description and use, the Applicants have advised:

“Bath House offers a unique approach to temporary accommodation; Bath House provides a safe and nurturing environment for vulnerable women and their young children/babies and young mothers who are pregnant.

We anticipate mothers referred to Bath House may well have needs in terms of drug or alcohol issues, mental health, or learning difficulties and potentially be involved in the family court/child protection process. Bath House provides accommodation for women that are currently being assessed by the local authority in terms of housing or other support needs for a maximum period of 12 weeks. The management at Bath House recognise that parents should be supported, encouraged, and facilitated to continue their engagement with identified external agencies during their assessment stay and will work closely with all involved agencies.

The property is equipped with CCTV to ensure the safety of residents at the address, with on site management availability. We recognise emergency accommodation may be required after hours therefore provide an on-call service. This centre targets Denbighshire and Conwy’s Housing, Social Services, Police and Emergency Duty Teams.

The wellbeing and safety of all our residents is central to our ethos and statement of purpose. All mothers will be made aware at the commencement of their assessment period that any child protection concerns will be shared immediately with the relevant agencies.

Bath House is run by two qualified social workers who have extensive knowledge and experience within the field of child protection and child care services, our staff have developed close links with supporting agencies and will encourage our residents to link in with relevant support networks and services.”

1.2 Description of site and surroundings

- 1.2.1 The site is located on the eastern side of Bath Street, close to the Brighton Road junction, close to Rhyl Town Centre.
- 1.2.2 No. 50 is located on the southern end of a terrace of 8 three storey properties.
- 1.2.3 It is understood that the previous use of the property was a single dwelling, and prior to this it was used as a House in Multiple Occupation (HMO) until 2004.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhyl.
- 1.3.2 It is within the Rhyl Central Conservation Area.
- 1.3.3 The property is Grade II Listed, along with the attached dwellings on the terrace. They were built in the 1860’s and are one of the first examples of the Gothic style of terrace in the town, intended to be used as lodging houses. The list description states that the style and design of the terrace is of considerable significance for the character of Rhyl in the latter part of the 19th century.

1.4 Relevant planning history

1.4.1 There is no significant planning history on the site. As mentioned above it is understood that the previous use of the property was a single dwelling, prior to this it was in use as a HMO until 2004.

1.5 Developments/changes since the original submission

1.5.1 The description of the proposed use on the application forms is a Family Assessment Centre. It is understood that such centres can operate as regulated and non regulated businesses. Registration is through the Care and Social Services Inspectorate for Wales (CССИW), which it is understood the applicants are seeking to secure, but this process requires specific management training, which the applicants can not complete until January 2018.

1.5.2 In this interim period the applicants have advised they are proposing to operate a non CССИW regulated Family Assessment Centre. This use would still be akin to the regulated centre as originally proposed and is intended for the same number of users. Members are referred to the applicant's outline of the proposed uses in section 1.1.3 of the report.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 No relevant planning history.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC 1 – Growth Strategy for Denbighshire

Policy BSC12 – Community facilities

Policy PSE1 – North Wales Coast Strategic Regeneration Area

Policy VOE5 – Conservation of natural resources

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Notes

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
- 4.1.3 Residential amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle

The vision of the adopted Local Development Plan is to make Rhyl an attractive place to live and work with improved housing stock and a reduction in the levels of multiple deprivation currently evident.

Rhyl has been identified in the Local Development Plan as a lower growth town within Policy BSC1, with housing allocations making an important contribution to the overall housing and employment requirements of the County.

Of some relevance to the application is policy BSC 7. This relates to self-contained flats and houses of multiple occupation as it acknowledges that the cumulative impact of converting larger dwellings to flats can have a detrimental impact on efforts to creating mixed and balanced communities by reducing the number of family homes available within an area. The policy acknowledges that there is a high concentration of Houses in Multiple Occupation and small flats in the coastal towns, which has had an adverse impact upon the surrounding area and living conditions of some occupants. In order to support national and local regeneration aims, as well as other adopted council policy, the policy states further developments of this type will not be allowed anywhere in Denbighshire.

Policy RD1 contains arrange of standard development control tests and advises that proposals should i) be suitable for their location, vi) not impact negatively on the character of the area and ix) should have regard to the adequacy of existing public facilities and services in the area.

Chapter 9 of Planning Policy Wales sets out Welsh Government's objectives in relation to housing. Welsh Government's approach is outlines the National Housing Strategy and seeks to provide more housing of the right type and offer more choice; to improve homes and communities, including the energy efficiency of new and existing homes; and to improve housing related services and support, particularly for vulnerable people and people from minority groups. Chapter 8 stresses the importance of creating mixed communities and providing a mix of housing types.

The application proposes the change of use of a single dwelling to a Family Assessment centre. The nature of this use is set out in the paragraphs above.

In relation to the principle of the proposed use, from Officers assessment of the proposal and the representations received, there appear to be four main issues to consider here. These are set out below:

- The potential loss of a single dwelling in an area where there is a high concentration of flats, HMO's and small households.
The terrace in which 50 Bath Street is located comprises of 8 units. It appears the majority of these are sub-divided into flats (with the exception of no. 40 and 50). Properties to the north of the application site are also in use as flats.

From the planning history it would appear that until 2004 this property was in use as a HMO. However, it appears to have been reverted back to a single dwelling and been used as such up until the current planning application was made.

As mentioned above, planning policy acknowledges that there is a high concentration of Houses in Multiple Occupation and small flats in Rhyl which have had an adverse impact upon the surrounding area and living conditions of some occupants. In this context it seems a relevant objective to seek a wider range of housing mix and

tenures in an area whenever possible, hence it is the opinion of Officers that the loss of one of the few remaining single family dwellings in this area of Bath Street would be contrary to the aims of adopted Local Development Plan policy and national guidance.

- The prevalence of other support service uses in proximity to the site and how these, along with the proposed use, may continue to define and shape the character of the area impacting upon the overall regeneration aims of Rhyl.

The site is located close to the core of Rhyl Town Centre which, it is recognised, requires serious investment and effort to secure regeneration.

The area in which the application site is located is not allocated for any particular planning use in the Development Plan but the main land uses are residential with some commercial uses (primarily office accommodation). There is a Women's Aid unit at 10 Brighton Road, the Dewi Sant/Ty Golau Centre is on Clwyd Street and Noddfa Mental Health/Drugs Out Care Project is on Brighton Road. These uses are located in close proximity (less than 500 metres) to the application site, and obviously provide a range of support to individuals with varying needs.

The cumulative impact of the number of drug and alcohol support services and the type of use proposed in this application raises some issues in relation to the character of the area.

Consultees have compared the area to West Rhyl prior to the establishment of the recent regeneration schemes. West Rhyl has made a significant contribution to the tourist economy of Rhyl since the Victorian era, providing a concentration of hotel and bed and breakfast accommodation in close proximity to the promenade and seaside attractions. The tourism function has declined over the years, resulting in a concentration of poor quality multi occupancy housing, an imbalanced tenure profile and high levels of social deprivation. The poor image and perceptions of the area deterred private sector investment and contributed to depressed market values that perpetuated problems. Significant resources have been used to counter the urban decay and rejuvenate the built environment and the communities in the area. Although the impact of recent regeneration work is difficult to assess, the body of work to counter this problem and its far reaching nature has to be noted.

Whilst it would be remiss of Officers to ignore the comparison of the area to West Rhyl, the use does raise questions over perpetuating the negative perception of the area.

- The appropriateness of the location for the use, as the application will result in vulnerable people and their children being sent to an area where there are existing problems of anti-social behaviour and drug and alcohol issues.

This consideration is linked to the point raised above in relation to surrounding support services.

There have been instances of drug and alcohol related anti-social behaviour connected to existing support services, and associated with the occupiers of accommodation surrounding the site.

The Applicants have set out how the proposed use would be managed to protect the future occupants. Staff would be on site and CCTV installed. However, notwithstanding these proposed measures, Officers still have some reservations over the potentially negative impact on vulnerable mothers and babies brought into an area of Rhyl where problems of anti-social behaviour exist. Whether this is the type of environment suitable for a further potential influx of vulnerable people needs careful consideration.

- Queries relating to the need for the use in Denbighshire.
In their consultation response, the Council's Education and Children's Services Section have advised that they would not use the service proposed for various reasons. Therefore it is anticipated that the use would serve vulnerable mothers and children from outside of the immediate area, which could result in additional pressures on existing support functions in the area in the medium to long term.

Whilst neither the establishment of need for this type of use in a specific location, nor the fact that this may add to the burden on existing services are tests in current planning policy, due consideration has to be given to the potential impact of a further support use in this area.

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.

Policy VOE 1 looks to protect sites of built heritage from development that would adversely affect them. Development proposals should maintain and wherever possible, enhance these areas for their characteristics, local distinctiveness and value to local communities.

There are no representations in relation to the visual amenity impacts of the proposals.

It is not considered the use and any changes to the property raise visual amenity issues.

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 no representations in relation to normal residential amenity impacts arising from the proposals. Concerns over antisocial behaviour voiced by a neighbour are dealt with in section 4.2.1 of the report.

Considering the location and density of development and the mix of uses in this area, also taking account of the nature of the management proposed for the centre, there are unlikely to be significant residential amenity impacts arising.

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 conclusion of Officers that whilst the service being proposed by the applicant is commendable, the suitability of the use in relation to the existing use of the property and the surroundings raises difficult issues of principle, as voiced in responses from a range of consultees.

- 5.2 . There are land use planning concerns relating to the loss of a single dwelling and the appropriateness of the use in this location, along with the impact on the character of the area. It is not considered the benefits of the use outweigh the disbenefits in this instance.

RECOMMENDATION: REFUSE- for the following reasons:-

The reasons for the conditions are:-

1. It is the opinion of the Local Planning Authority that as the change of use of the dwelling to a family assessment centre would result in the loss of a single occupancy dwelling in Bath Street, this would have a detrimental impact on the housing mix in the area and would be contrary to the aims and objectives of policy BSC 1 and RD1 of the adopted Local Development Plan and Chapter 8 and 9 of Planning Policy Wales.
2. It is the opinion of the Local Planning Authority that the location of an additional support service use within an area of Rhyl already containing a number of such uses will have a negative cumulative impact on the character of the area. Furthermore, it is considered that to accommodate additional vulnerable people in an area where there is a potential for anti-social behaviour would give rise to the potential for negative impacts upon the likely future occupants of the proposed family assessment centre and place increased pressures on existing services. This, it is considered, would be contrary to the aims of planning Policy RD 1 and the regeneration aims of Policy PSE 1 of the Local Development Plan.