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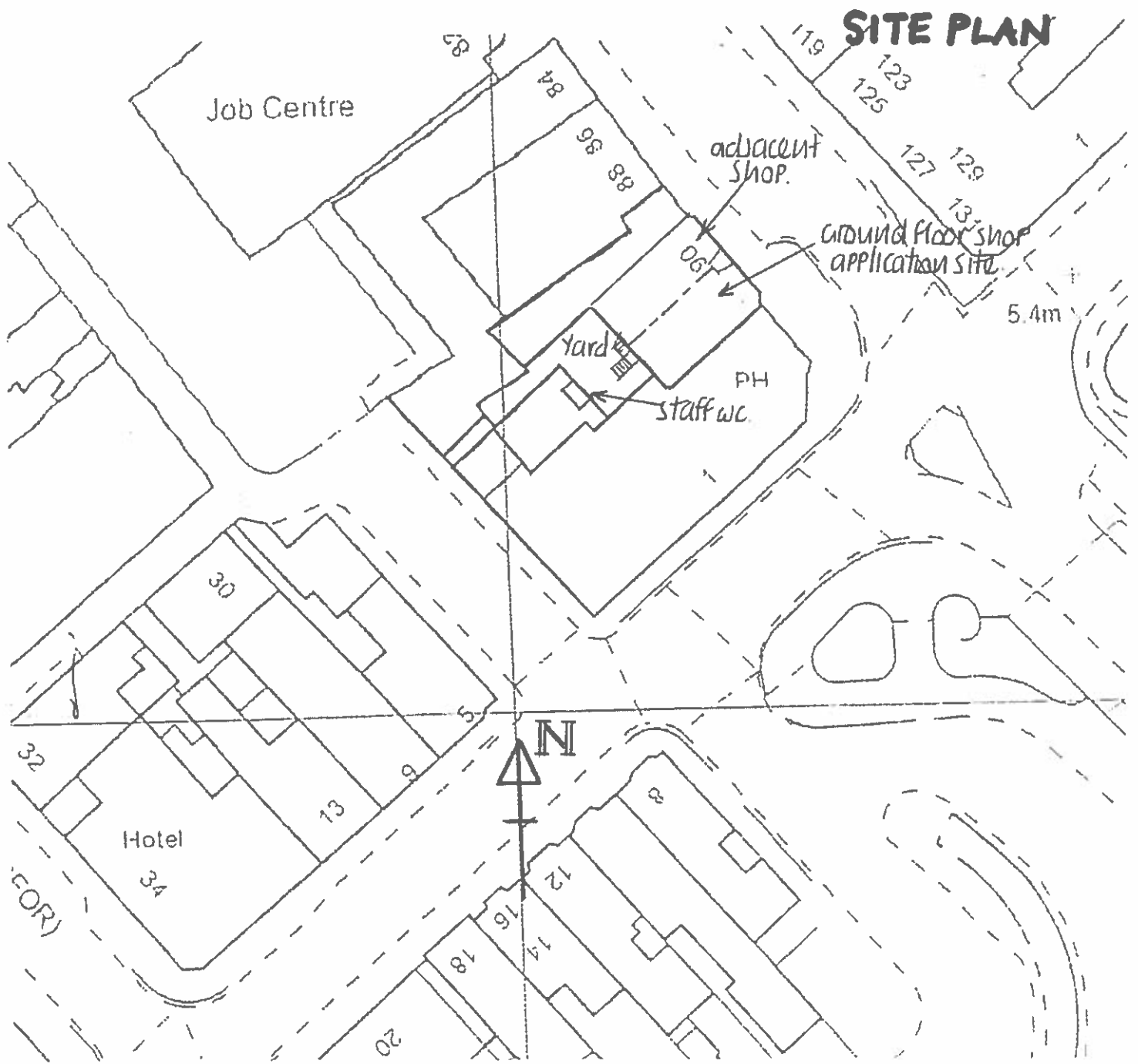
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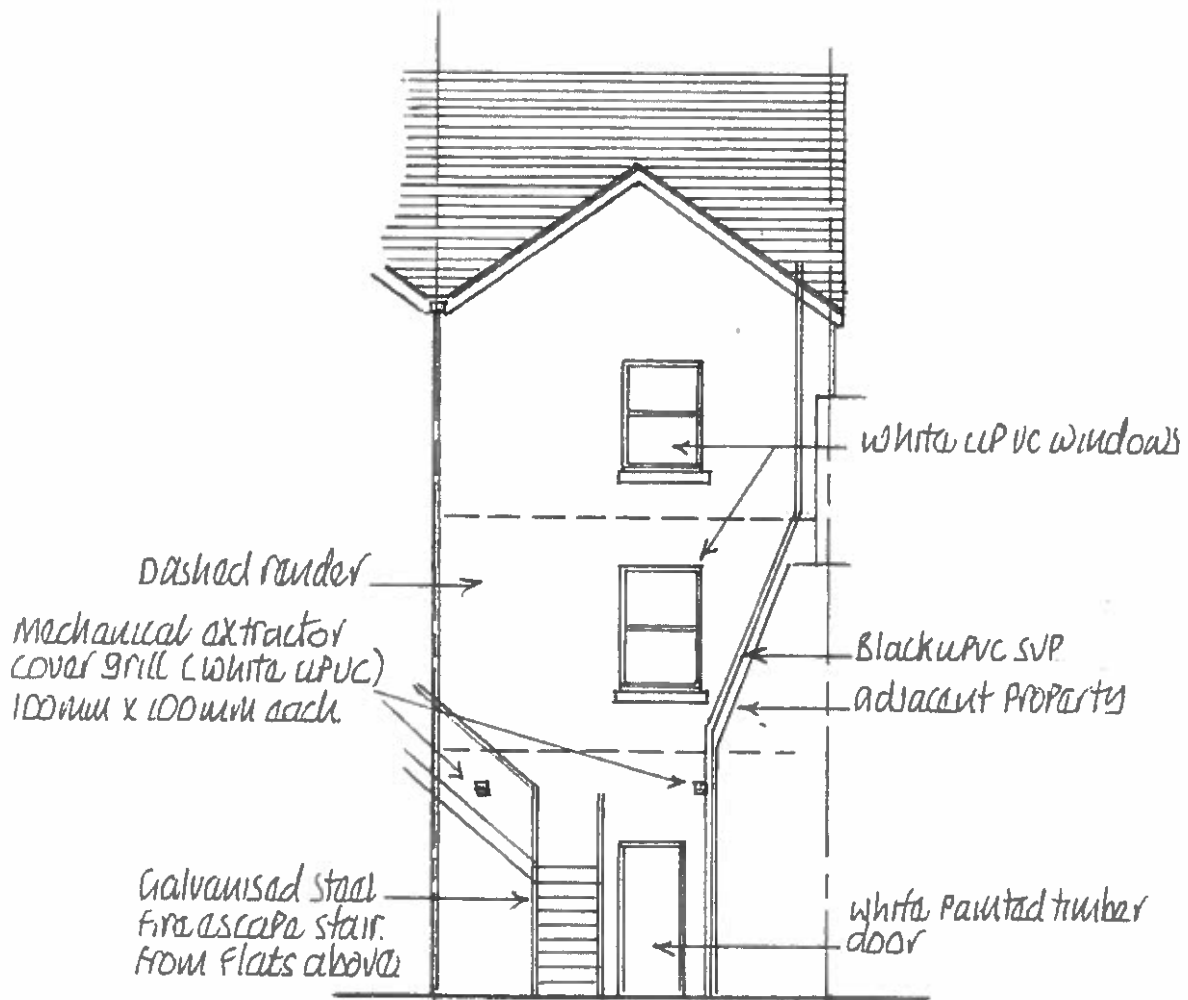


Site Plan ~ Former Soulmates Bridal Shop
Ground floor, 90 High St, Rhyl. ~ DA3 ~ 1:500

A4

**PROPOSED REAR
ELEVATION
PLAN**

90 High St, RHYL - Rear Elevation - 1:100
06.5 - Proposed.

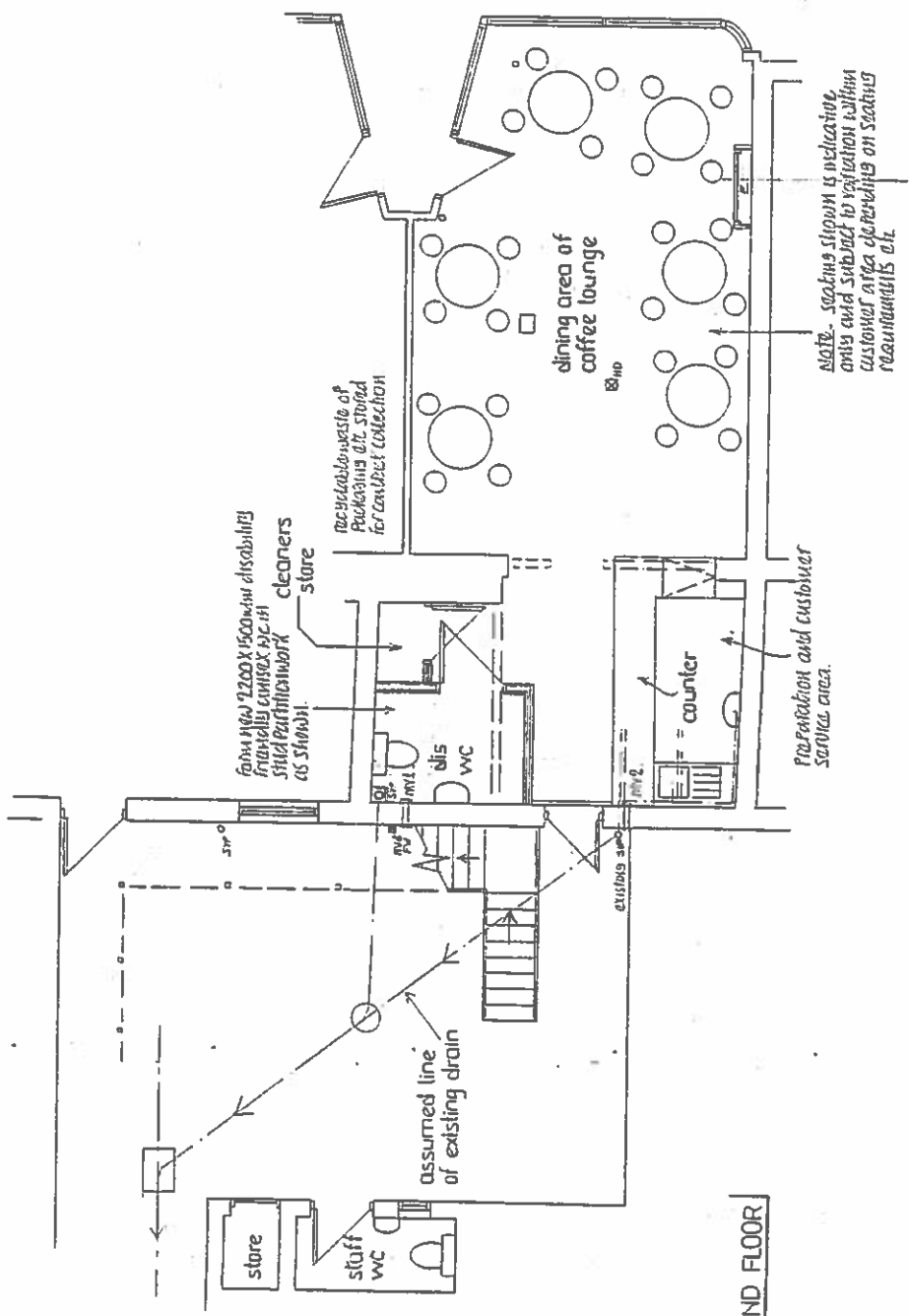
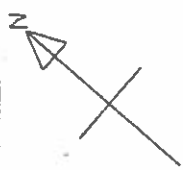


SOUTH WEST (REAR) ELEVATION

PROPOSED FLOOR PLAN

30 HIGH STREET RHYL
 DG2 150 A2
 PROPOSED

REV A 26/11/17 AND 2.11.17 added



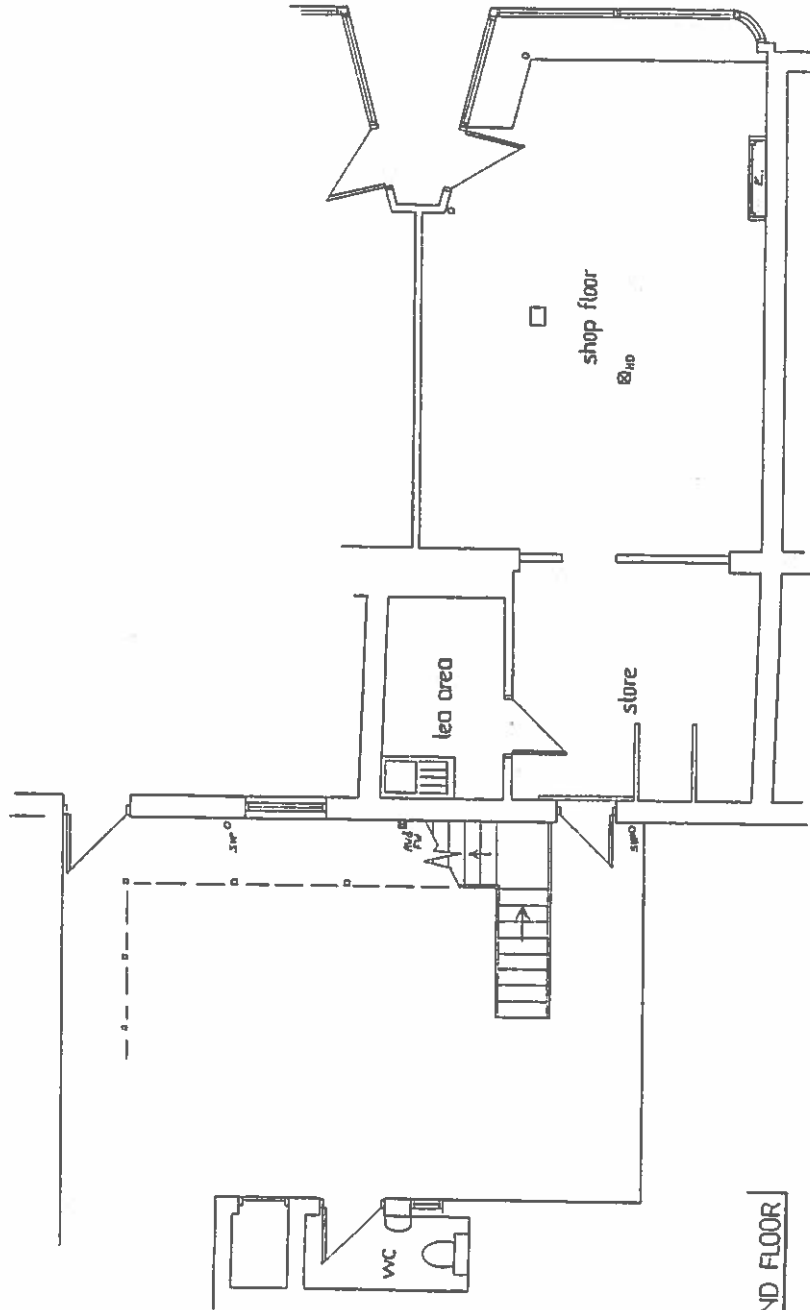
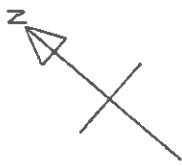
GROUND FLOOR

**EXISTING
FLOOR
PLAN**

90 HIGH STREET RHYL

D61 150 A2.

EXISTING



GROUND FLOOR

WARD : Rhyl West

WARD MEMBERS: Cllr Alan James (c)
Cllr Joan Butterfield

APPLICATION NO: 45/2017/1087/ PF

PROPOSAL: Change of use of existing retail shop to coffee lounge with ancillary takeaway facility

LOCATION: 90 High Street Rhyl

APPLICANT: Mr Tim Roberts

CONSTRAINTS: C1 Flood Zone
Listed Building
Conservation Area

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 on the following grounds:

The proposal if approved will result in the loss of a A1 retail unit from the Rhyl High Street contrary to Policies PSE7 and PSE 8 of the Adopted Local Plan.

(The Council notes that the property has been in regular use as a retail shop over recent past.)”

NATURAL RESOURCES WALES (NRW)

No objection.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Conservation Officer

No objection

RESPONSE TO PUBLICITY: None.

EXPIRY DATE OF APPLICATION: 22/01/2018

EXTENSION OF TIME AGREED: 16/02/2017

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 proposes the change of use of no. 90 High Street to a class A3 Coffee Lounge with ancillary takeaway.
- 1.1.2 No external alterations are proposed to the building other than the installation of a small extractor fan in the rear elevation. Internally the layout would remain open-plan as existing with the coffee counter to the rear of the shop.

1.2 Description of site and surroundings

- 1.2.1 No. 90 is currently a vacant A1 retail unit.
- 1.2.2 The site is located on the southern end of the High Street in Rhyl Town Centre.
- 1.2.3 To the north is an A2 Estate Agents and to the south is an A3 Bar and Restaurant.

1.3 Relevant planning constraints/considerations

- 1.3.1 No. 90 is a Grade II Listed Building.
- 1.3.2 The site is located in Rhyl Town Centre as defined in the proposals map of the Local Development Plan. Policy PSE8 relates to developments in this area.
- 1.3.3 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 There is a corresponding application for Listed Building Consent for the fan proposed on the rear elevation (ref. 45/2017/1123).
- 1.6.2 In support of the Application the Agent has advised:
 - The use is proposed as for the sale on and off the premises of drinks, light refreshments and cakes, biscuits and snacks. Hot food would not be cooked on site.
 - The property was previously used as a Bridal shop, it was vacated in January 2017. It was marketed since May 2017 to find alternative tenants. There was very low interest from prospective tenants (with only 3 viewings over 7 months) despite incentives offered of reduced rent and a rent free period.
 - There are a high number of vacant shops in the town and those that are not eligible for full small business rate exemption such as 90 High Street are difficult to let.
 - In this prominent position at the main pedestrian route into Rhyl High Street it is imperative that a viable use is sought to enhance the vitality of the high street and to ensure investment in its future appearance

1.6.3 In response to the comments of the Town Council, the agent has asked for the following to be taken into account:

- 1. "The application site is not within the protected shop frontage retail zone which lies to the North of wellington road

2 The town council describe the shop as having been in retail use in recent times , which is incorrect - the shop has now been closed and vacant for a year in this prominent location which is currently detrimental to the image of Rhyl as a shopping center and the impression it gives to visitors . the proposal seeks to provide a sustainable use that will enhance the vitality of the town center and bring this currently redundant property back into use to improve the visual amenity of the town center . we have also forwarded marketing evidence (Peter Large estate agents) to substantiate the fact that there is an extreme lack of demand for this property as a retail unit

3 In the Daily Post today there is a very interesting article which describes Rhyl as having the worst percentage in Wales for empty shops at 25% vacant. Therefore I really cant understand Rhyl Town councils stance. If one in four shops are vacant, there clearly isn't the demand for the number of shops that the town council mistakenly thinks exists . therefore to insist on retaining the same number of shops even if they are vacant can only result in decline in terms of economy and will undermine the regeneration principles for the area leading to further decline

We would therefore request that the application should be approved without further delay as it accords with policies and will be of benefit to the locality and the vitality of the town center:"

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 4th 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

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application proposes a change of use of an existing A1 shop to an A3 use on Rhyl High Street.

Policy PSE 1 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 also applies, advising 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.

There is a primary shopping frontage area identified in Rhyl in which the policy states changes of use from A1 will not be permitted, but the site is not in this area.

With respect to the comments of the Town Council, Policy PSE7 is not applicable to the application as this relates to retail allocations in the Local Development Plan – the site is not within any allocation on the Proposals Map for Rhyl.

The application indicates the proposed use is a coffee lounge. The unit is currently vacant. The adjoining site to the south is an A3 use and to the north there is an A2 use. Other uses on this block of the High Street include a large A1 retail unit, job centre, amusement arcade and sandwich bar. Opposite the site there is an A1 games station shop and a number of vacant A1 units.

The site is located within the designated town centre PSE 8 area, but as noted, not within the Rhyl primary shopping frontage (that is primarily on the pedestrianised section of the High Street). There are A1 uses remaining in the block. In respecting the Town Council's concerns, it is apparent that the unit has been vacant for some time and there are also other a number of vacant A1 units in this area of the High Street, suggesting there is limited commercial demand for retail shops at this time. Consequently, Officers consider it would be difficult to resist this application, as a coffee lounge would not result in an unacceptable imbalance of uses, there always remains the possibility that an A1 use could be reintroduced in the future, and there is no clear evidence that the scheme would impact negatively on the vitality and viability of the town centre.

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 Conservation Officer has raised no objections to the proposal.

The application proposes change of use of no. 90 with minimal alterations. The building is Grade II Listed. The site is located within the Rhyl Central Conservation Area.

Considering the consultation response, and the nature of the development, it is the opinion of Officers that the proposal would not conflict with the relevant planning policies in relation to visual amenity.

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, it is the opinion of Officers, with due respect to the Town Council's comments, that the proposal does not pose conflicts with the relevant policies and is 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 14th February 2023.
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 Floor Plans (Drawing No. DG1) - Received 28 November 2017
 - (ii) Existing Elevations - Received 28 November 2017
 - (iii) Proposed Floor Plans (Drawing No. DG2) - Received 28 November 2017
 - (iv) Proposed Elevations - Received 28 November 2017
 - (v) Site Plan (Drawing No. DG3) - Received 14 November 2017
 - (vi) Location Plan - Received 14 November 2017

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.