

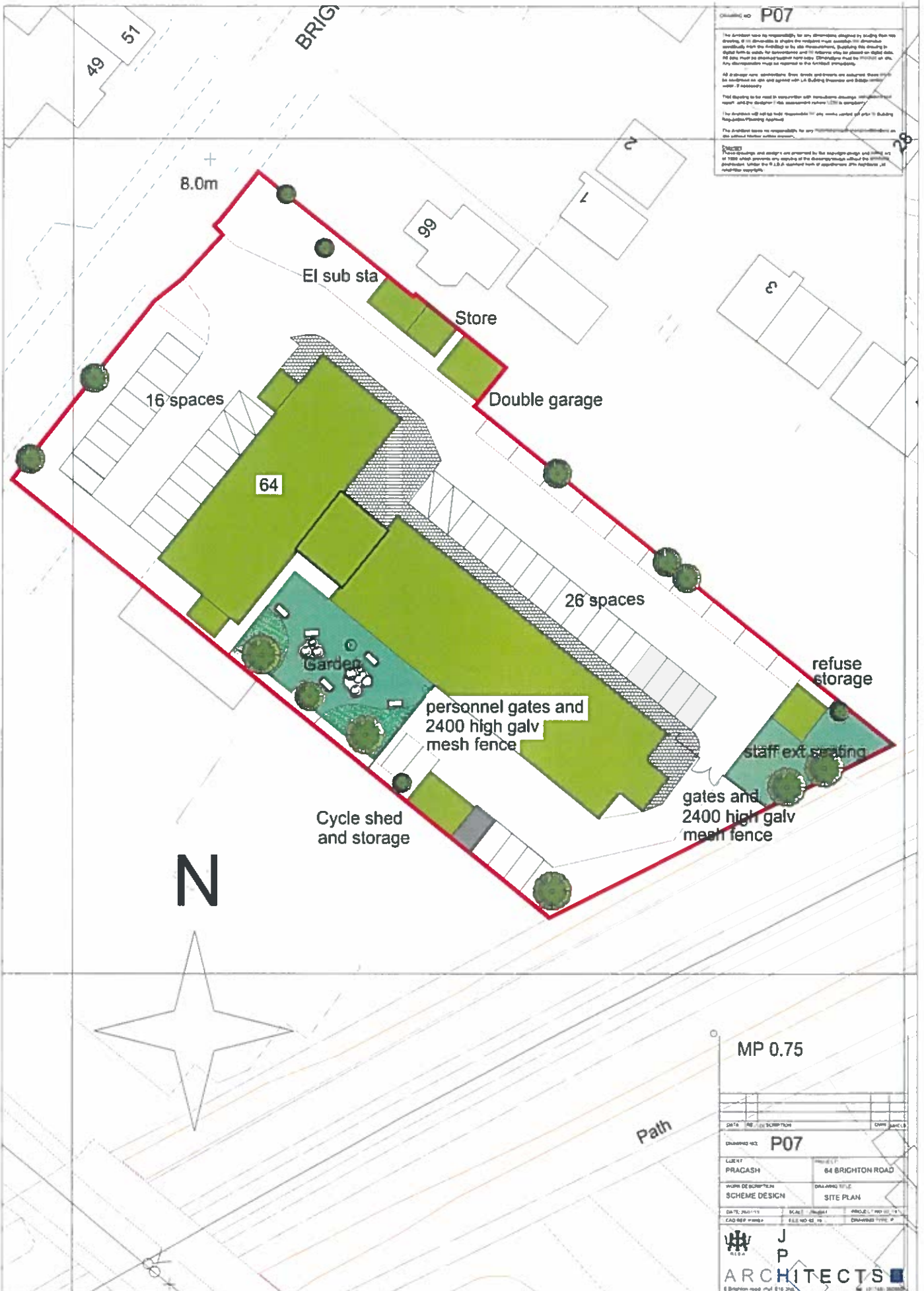
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PROPOSED SITE PLAN



PROPOSED ELEVATIONS (1)

P05

China's oldest, best

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Journal of Internal Medicine 247: 353-360

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

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Abstract

WEST FACING ELEVATION AS PROPOSED scale 1:100

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1. *What is the purpose of this study?*
2. *What are the research questions?*
3. *What are the hypotheses?*

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400

SOUTH FACING ELEVATION AS PROPOSED scale 1:100

P05

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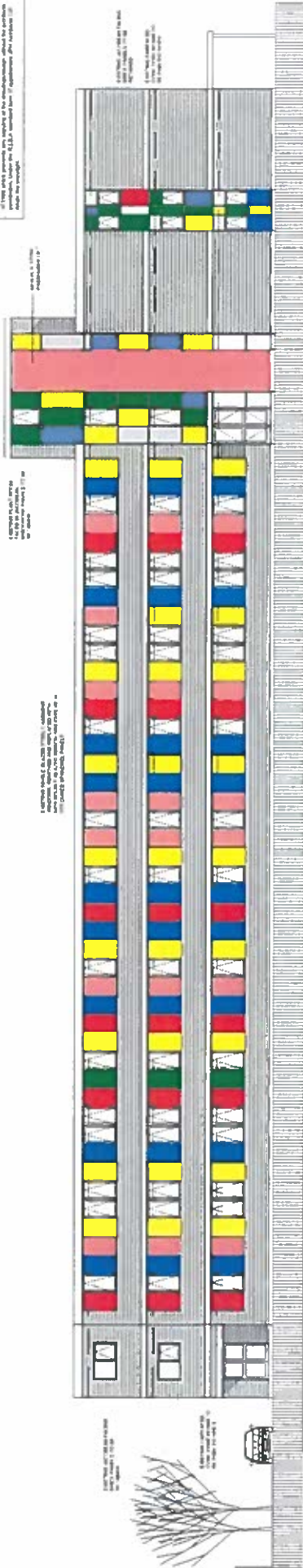
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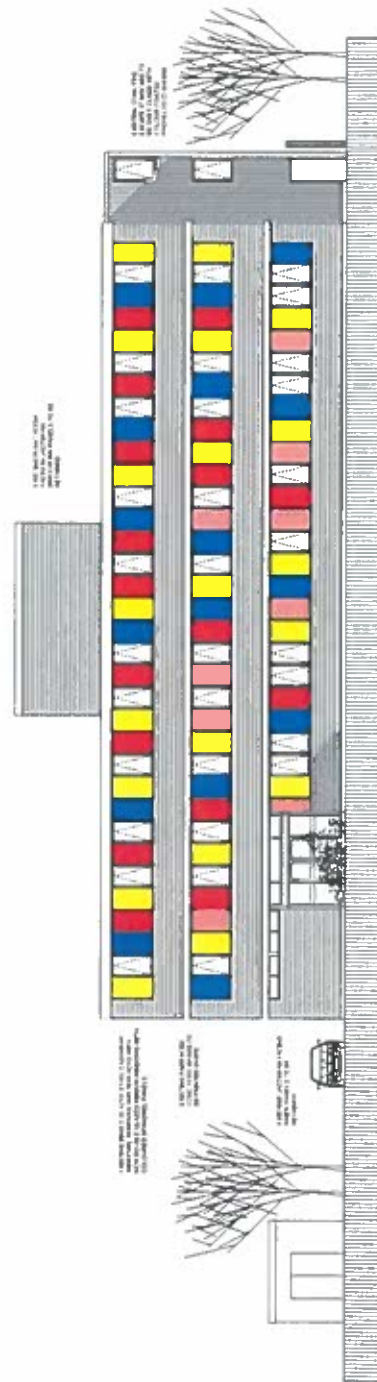
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P04

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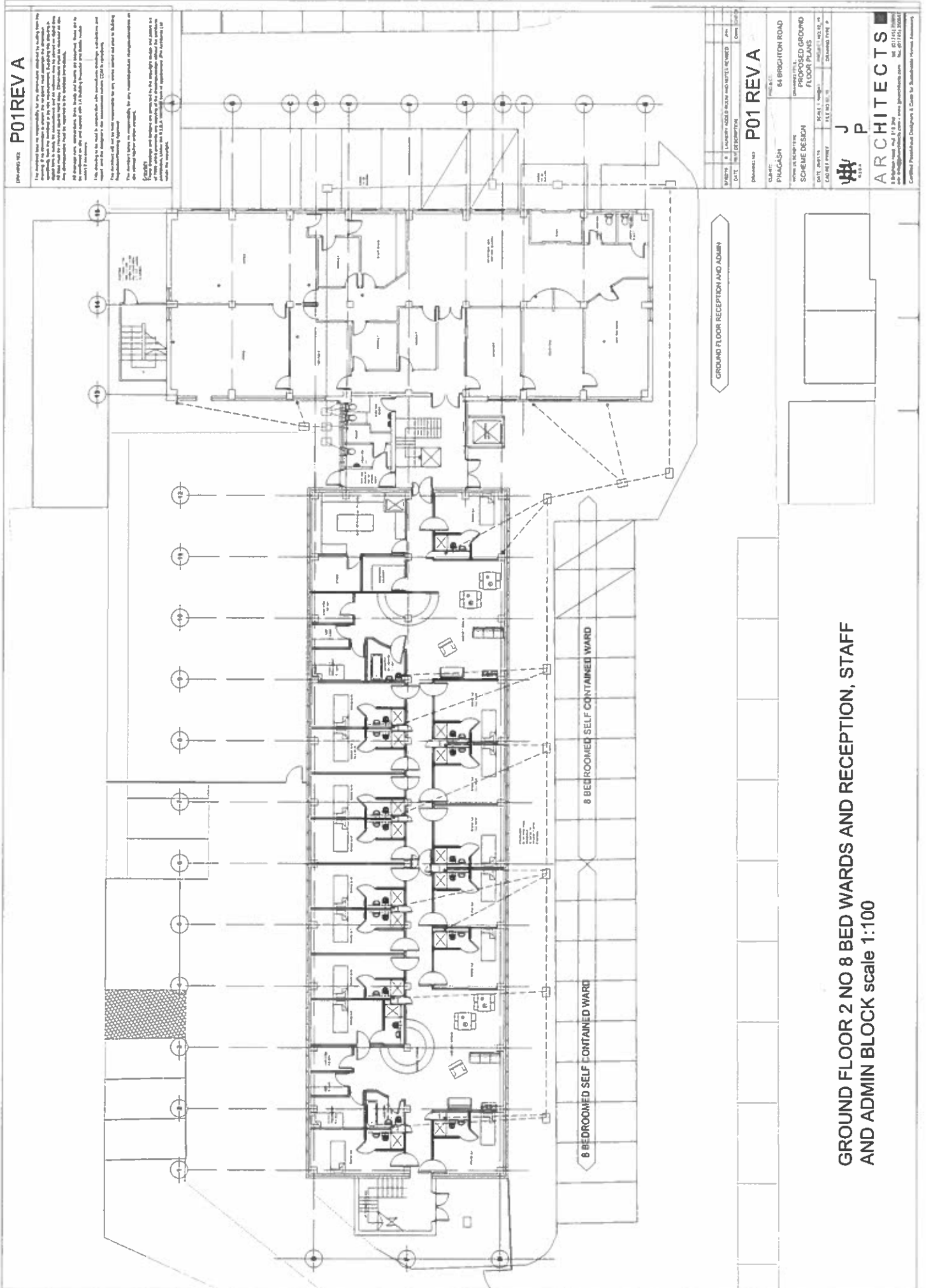
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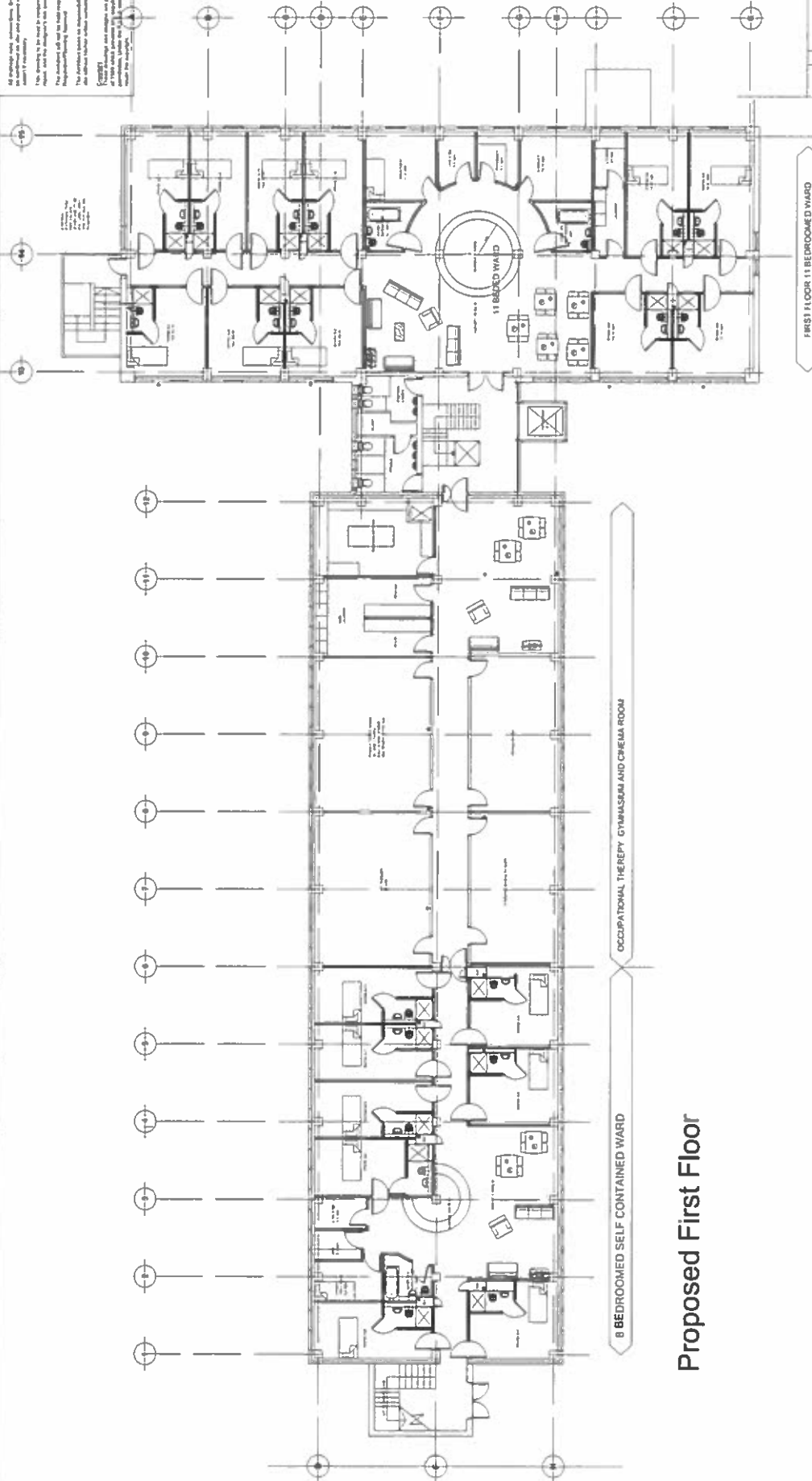
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| DATE | 10/10/2023 | PROJECT NO. | P04 |
| PROJECT NAME | 14 BRIGHTON ROAD | PROJECT TYPE | PROPOSED ELEVATIONS |
| CLIENT | J.P. ARCHITECTS | PROJECT LOCATION | 14 BRIGHTON ROAD, BRIGHTON, BN1 1AA |
| PROJECT DESCRIPTION | PROPOSED ELEVATIONS | PROJECT STATUS | PROPOSED |
| PROJECT DRAWN BY | J.P. ARCHITECTS | PROJECT CHECKED BY | J.P. ARCHITECTS |
| PROJECT DATE | 10/10/2023 | PROJECT SCALE | 1:100 |

J.P. ARCHITECTS
 14 BRIGHTON ROAD, BRIGHTON, BN1 1AA
 TEL: 01323 555555
 EMAIL: info@jparchitects.co.uk
 WEBSITE: www.jparchitects.co.uk



GROUND FLOOR 2 NO 8 BED WARDS AND RECEPTION, STAFF
AND ADMIN BLOCK scale 1:100

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Proposed First Floor

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P02 REV A

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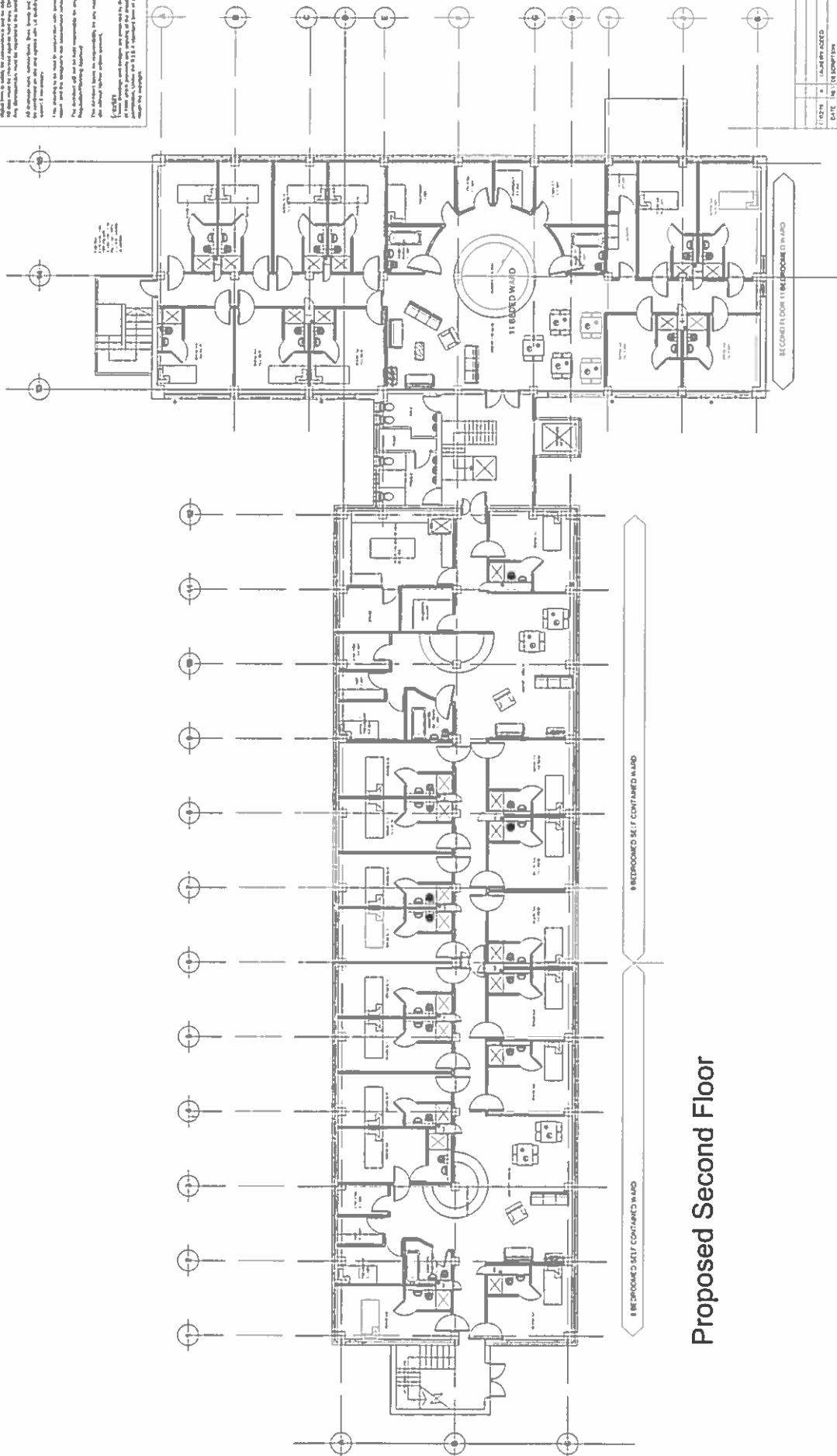
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FIRST FLOOR 1 NO 11 BED WARDS AND OCCUPATIONAL THERPEY WING scale 1:100

P03 REV A

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Proposed Second Floor

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| CLIENT | | | | | CLIENT | | | | |
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ARCHITECTS 

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Floor, Indianapolis, IN 46202
Tel: (317) 631-2500 Fax: (317) 631-2500

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SECOND FLOOR 2 NO 8 BED WARDS, AND 1 NO 11 BED WARD scale 1:100

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EXISTING SOUTH FACING ELEVATION, 64 BRIGHTON ROAD scale 1:100

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Emer O'Connor

WARD : Rhyl East

WARD MEMBERS: Councillors Barry Mellor and Tony Thomas (c)

APPLICATION NO: 45/2019/0156/ PF

PROPOSAL: Change of use and alterations to former offices to form a 61 bed, 6 ward bespoke hospital

LOCATION: 64 Brighton Road Rhyl LL18 3HN

APPLICANT: Mr N Pragash

CONSTRAINTS: Tree Preservation Order
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

- Recommendation to grant / approve – 4 or more objections received
- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

Original response

"No objection - The Council is pleased to see that the facility will provide support to local people."

Subsequent response-

"The Town Council previously responded to the above application based on the information and statements contained within the application form and associated documentation submitted by the applicant and agent.

However having now had opportunity to review the responses of the other statutory consultees it is noted that the information provided by the applicant might be considered to be incorrect in terms of the application being in accordance with planning policies and the actual level of benefit likely to be derived from the facility by the local population.

The Town Council's previous response of "No objection - The Council is pleased to see that the facility will provide support to local people" was made on the basis of information contained within the application and associated papers. The responses of the other statutory consultees suggest that the assertions made by the applicant may not in fact be deliverable as intended."

NATURAL RESOURCES WALES

No comments.

DWR CYMRU / WELSH WATER

No objection.

BETSI CADWALLADR UNIVERSITY HEALTH BOARD TRUST

Original Response

“The Health Board is not able to support this proposal in its current form. Whilst our strategy is to repatriate people from out of area placements and provide care closer to home for those needing such care and support, the level of demand would be insufficient to utilise the proposed number of places and the risks of proceeding with such a development are therefore too great. There is a high probability of a detrimental impact on service provision and infrastructure if there were to be large numbers of out of area placements”.

Response to reconsultation

“As a supervising/safeguarding body we are not currently in a position to support the application without further clarification and assurances on the range of issues detailed within this paper- i.e. What is the overall service model for the hospital?

- What evidence has been used to underpin this model?
- What evidence underpins their assessment of need and demand to support a 54-bedded Hospital?
- What is their intended recruitment strategy?
- What discussion have they held with NHS Wales?
- What is the company-trading name?
- What previous track record does this company have in operating specialist secure care services?

NORTH WALES POLICE

Share the concerns of BCUHB relating to the ambiguity of the scheme. There is no specific evidence base to suggest any particular likely increase in incidents of crime and disorder attributable to *this* proposal, however Officers do have concerns as regards the lack of detail around secure arrangements for what are evidently people with significantly complex needs. NWP already service significant demand from the local MH unit, and alternatives to MH crisis procedures are limited to say the least in North Wales (leading to a high incidence of Sect 136 detentions).

Conclude that without the detail of clear security responsibility NWP have no way to give an accurate assessment on the likely impact on the community in terms of crime & disorder.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

The scheme proposes to provide 36 parking spaces within the site. In accordance with Denbighshire County Council's parking standards a maximum of 24 spaces in addition to the essential vehicles should be provided. The scheme therefore offers parking in excess of the requirement and given the location and former use as offices, Therefore Highways Officers have no objection to the proposal.

Head of Adult Services

Expresses concerns that the submission does not clearly demonstrate that there is a sound business case or need in Rhyl or indeed Denbighshire for the proposed facility.

Strategic Housing and Planning

Considers the proposal does not meet the requirements of the criteria set out in Policy PSE 3.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Sharon Foston, 34 Lynton Walk, Rhyl

Debra Jones, 4 Llys Sion, Rhyl

Colin Blundell, Flat 8, The Cedars, 45 Brighton Road, Rhyl

Mr & Mrs Wallis, 64 Brighton Road, Rhyl

E A Armstrong, Meifod, 66 Brighton Road, Rhyl

Debbie Bateman, 39, Brighton Road, Rhyl

Jody Evans, 37 Brighton Road, Rhyl

Jillian Jamieson, Apartment 6, The Cedars, 45 Brighton Road, Rhyl

Summary of planning based representations in objection:

Impact on character of the area-
Inappropriate use in a residential area.

Ambiguity of use-
Supporting documents refer to various types of uses, precise use not clear.

Security concerns-
Lack of information on how secure unit and boundaries would be. Would residents be at risk from potential occupiers.

Highways and traffic-
Insufficient parking for intensive use.

Residential amenity-
Potential for noise and disturbance for what is likely to be a 24/7 use.

Need-
Supporting information does not demonstrate the use is needed in Rhyl or Denbighshire.

Drain on resources-
Proposal would put strain on existing health and police services.

Lack of consultation-
No discussions have taken place with neighbours prior to the submission of the scheme.

EXPIRY DATE OF APPLICATION: 17/04/2019

EXTENSION OF TIME AGREED? 22/07/2019

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 and alterations at the former Council Offices on 64 Brighton Road to a 61 bed bespoke hospital.
- 1.1.2 The plans indicate that the existing office building would be remodelled to incorporate 7 wards spread over the three floors with ancillary accommodation including treatment rooms, kitchen, and amenity space. There would be office accommodation, staff rooms and meeting space on the ground floor.
- 1.1.3 Externally the building would be renovated; the most notable alterations would be the replacement of the windows with double glazed units interspersed with coloured spandrel panels.

1.1.4 The site layout and access would remain broadly as existing with parking for 42 cars marked to the front and side of the building. A secure garden area is proposed to the rear of the building which would be bounded by 2.4 metre galvanised mesh fencing. An external staff seating area is proposed to the rear corner of the site.

1.1.5 In relation to the use the Agent has clarified:

A 61 bed facility is proposed (mixed male and female provision).

The project will be split into three phases –

- Phase 1 will comprise all of the ground floor and part of the rear wing of the first floor which will commence immediately once planning permission has been obtained and will be complete by the end of 2019 latest. The Phase 1 use would employ approximately 28 staff.
- Phase 2 will comprise the remainder of the first floor which will be complete by the end of 2020.
- Phase 3 will include the whole of the second floor completed by end of 2021. At capacity it is proposed that the use would employ 150 staff.

1.2 Description of site and surroundings

1.2.1 The site is located on the southern side of Brighton Road close to Rhyl Town Centre.

1.2.2 The three storey building was previously occupied by Denbighshire County Council Social Services. It is understood there were 280 desk spaces in the building, with a capacity for a total of 325 spaces.

1.2.3 On Brighton Road, the majority of properties are now in use as self-contained flats/apartments, but there are also nursing homes, some sheltered housing and Local Authority offices in the area, i.e. mixed residential and commercial uses.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Rhyl, but there are no use designations in this area.

1.3.2 The trees on the site are covered by a blanket TPO dating back to the Rhyl Urban District Council in 1951. The TPO covers most of the trees along the street frontage of Brighton Road.

1.4 Relevant planning history

1.4.1 There is no relevant planning history on the site.

1.5 Developments/changes since the original submission

1.5.1 See paragraphs 1.1.5 and the following section of the report, which set out additional information from the applicants in response to requests for clarification of the use.

1.6 Other relevant background information

1.6.1 In support of the application the Agents have submitted three additional documents-

Ty Melyn Hospital Business Overview-

This document sets out information on the need, the nature of the use, the choice of location and details of the regulation process. It concludes:

- *“There continues to be a shortage of hospital placements in North Wales to effectively meet the needs of the North Wales population. This is due to underdeveloped specialist services within the region, some of which are required for small numbers of complex-needs individuals for whom it is not in the NHS’s interests to develop their own services for, and who are not currently catered for in the existing independent sector in North Wales.”*
- *“Ty Melyn can provide up to a maximum of 61 beds in a locked rehabilitation setting, with services provided across six or seven separate wards. Wards are likely to be configured as follows: Two 11-bed wards, Four or five 8-bed wards.”*
“It is not proposed that all beds within Ty Melyn provide services for women only.”
“The clinical model has deliberately led to the plans for multiple wards with a low number of beds (either 8 or 11 beds) to enable Ty Melyn to provide bespoke services for North Wales residents, and to decrease reliance on admissions from out of area.” “A commonality is that all wards will be provided within a locked rehabilitation setting, distinct from what is deemed ‘secure’ services”
- *“When at full occupancy, staffing will be approximately 150 Whole Time Equivalents”*
“Ty Melyn will be commissioned in separate stages, and so recruitment will run commensurate with this, and two wards (16 beds total) will initially be commissioned. We would not, therefore, be recruiting 150 staff in one drive, and will aim to initially recruit approximately eight nurses and 20 Healthcare Assistants, as well as supporting clinicians and ancillary staff, within the first stages of being operational.”
“Existing local services for rehabilitation placements are based mainly in the Wrexham and Flintshire areas, with no specialist services of this nature (female) available further west than Mold. The option of a centrally based hospital service would therefore have significant benefits to Service Users originating from this area and also north west Wales. Closer case management is of significant benefit in terms of quality assurance and performance management, and is inextricably linked with reduced lengths of inpatient admission”.
- *“Healthcare Inspectorate Wales (HIW) is the the independent inspectorate and regulator of health care in Wales”*
“The All Wales Framework, facilitated by the Quality Assurance Improvement Team (QAiT) for Collaboratively Commissioned Mental Health and Learning Disability Services, is a Welsh NHS initiative In order for any independent mental health hospital (in Wales or England) to be a provider of inpatient services to Welsh Service Users, there is a requirement for providers to apply and be approved to join the All Wales Framework.”

Ty Melyn Policy Justification

- LDP Policy PSE 3
- *Criterion ii) We have consulted with the agent, Gareth Williams, and from our visits and inspections and surveys we have noted that there has been significant vandalism and sporadic strip out of the internal services and facilities to the point that it is now no longer usable as an office space or indeed any related function. Should the building be reused as an office or any*

other services function it will need to be completely re furnished. It has been marketed to let since October 2017 and then to sell or let from September 2018.

- iii) The proposed use IE independent hospital will provide local employment. This facility is not being relocated from another area and is therefore providing a much needed facility for this area. As mentioned above we feel that the proposed functionality is not a non-conforming use, as the site is totally suitable for the proposed use.*
- The project will be split into three phases - phase 1 will comprise all of the ground floor and part of the rear wing of the first floor which will commence immediately once planning permission has been obtained and will be complete by the end of 2019 latest. Phase 2 will comprise the remainder of the first floor which will be complete by the end of 2020. Phase 3 will include the whole of the second floor completed by end of 2021.*

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 BSC 2 - 'Brownfield development priority'

Policy PSE3 – Protection of employment land and buildings

Policy ASA3 – Parking standards

Policy VOE5 – Conservation of natural resources

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Access for All

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

TAN 23: Economic Development

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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.

The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 Highways (including access and parking)
- Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

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

The general vision in 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 seen.

Policy RD 1 - Sustainable development and good standard design is relevant to the application. This policy offers support for development provided a series of tests are met, including that a proposal:

x) Does not prejudice land or buildings safeguarded for other uses, or impair the development and use of adjoining land.

LDP Policy PSE 3 'Protection of employment land and buildings' seeks to resist the loss of employment land and buildings unless specific criteria are met:

- Criterion i) requires that there are no other suitable sites available for this development.
- Criterion ii) requires a marketing process to be followed in order to demonstrate the site is no longer capable of providing employment accommodation.
- Criterion iii) seeks to prevent the loss of sites which would prejudice the ability of the area to meet a range of employment needs.

In relation to the PSE 3 criteria:

- (i) No alternative site assessment has been provided in support of the application.
Officers have advised the Agent of the policy position and requested they outline their position in relation to the tests in PSE3 during the application process. The Agents have provided information regarding the policy tests (as set out in para. 1.6.1 above), but it appears that they have not considered alternative sites for the use owing to what they consider to be the suitability of 64 Brighton Road. They deem this site to be appropriate for the use as it has

not had an alternative use since October 2017 despite marketing to let and for sale. Finally they consider it would provide local employment

- (ii) In relation to the provision of a marketing test to prove that the site is no longer suitable for employment uses, the Agent has advised the site has been marketed since 2017 for rent and 2018 for sale. A Land Agent is referred to although no evidence of such marketing has been presented. Reference is made to the condition of the building requiring refurbishment which may have put potential tenants off, but no further detail has been provided. It is considered that insufficient information has been provided to demonstrate that the specific requirements of criterion ii) have been met.
- (iii) In terms of the test obliging consideration of any loss of employment land / buildings prejudicing the ability of an area to meet range of employment needs, the supporting information states the development will create approximately 150 new jobs and would therefore contribute towards meeting local employment needs. This number would be reached on completion of the three Phases of the development. Initially it is proposed to recruit approximately eight nurses and 20 Healthcare Assistants, as well as supporting clinicians and ancillary staff. It is not considered there is obvious conflict with this test.

Para 5.4.1 and 5.4.2 of Welsh Government's Planning Policy Wales sets out definitions of "economic development" which encompass a wider range of land uses beyond the traditional employment land uses (i.e. B1, B2 and B8 use classes). Whilst on the basis of the PPW definition the proposal would be considered "economic development", there are considerations to be given to the loss of office accommodation in this instance, information from Economic Development colleagues shows that Rhyl currently has a limited offering of larger office provision. In terms of current provision; *of the 15 office properties currently being advertised on the Denbighshire County Council property portal, 13 properties are 1,601 sq. ft. or smaller. The remaining two are the only 'larger' office properties available, one of which is 2,533-6,893 sq. ft. in size and the other being the application site, which is listed as 3,750-26,715 sq. ft.*

The proposed use would bring about a reduction in both the overall amount of employment land available in the area, and also in the number of sites available to accommodate a large employment development. It is understood from Economic Development officers that a considerable proportion of property enquiries for Rhyl received by Denbighshire County Council relate to office space; *between December 2016 and April 2019, 26 property enquiries were received for Rhyl, 11 of which related to office space. This represents 42% of all enquiries for Rhyl and demonstrates an ongoing demand for employment land and buildings for office use.*

TAN 23 relates to Economic Development. Paragraph 4.6.8 of the TAN states that the traditional employment uses tend to generate lower land values than many other land uses, especially housing and retail, consequently, any land lost to these uses is generally difficult to replace. Planning authorities should avoid releasing for other uses sites where there is strong evidence of likely future need for B1-B8. In some areas, older, lower-cost employment areas may be required, especially for small and new firms who cannot afford newer and more prestigious accommodation. The loss of such areas may cause harm to local economies and should be avoided.

Paragraph 4.6.9 states that existing employment sites should only be released for other uses if one or more of the following apply:

- they have poor prospects of being re-occupied for their previous use;
- the particular market that the site is part of is oversupplied;

- the existing employment use has unacceptable adverse impacts on amenity or the environment;
- the proposed redevelopment does not compromise unduly neighbouring employment sites that are to be retained;
- other priorities, such as housing need, override more narrowly focussed economic considerations; and/or
- land of equal or better quality is made available elsewhere, even if this is not within the local planning authority boundary.

Taking into account Policy PSE 3 and the vision for Rhyl as a BSC1 lower growth town geared at making an important contribution to the overall housing and employment requirements of the County, there are questions here over the loss of an office use and the case made to demonstrate the site's suitability for the hospital use. On this basis there are concerns over the acceptability of the proposal in principle.

4.2.2 Visual amenity

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

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 have been some concerns raised by neighbours in relation to the potential impacts of the use on nearby residential amenity. Some feel there may be an increase in noise and general disturbance based on the more intense use of the site over a 24 hr period.

Whilst it is inevitable that there may be more comings and goings with a hospital type use outside of normal office based hours, Officers feel that management arrangements (controlled via planning conditions) could address the general concerns raised. It is difficult to justify refusal of the use on the grounds of increased noise and disturbance without specific evidence of what type of noise and what receptors would be impacted. Concerns over antisocial behaviour raised by neighbours are dealt with in section 4.2.5 of the report.

Considering the lack of direct evidence for unacceptable levels of noise and disturbance from the use and the nature of the management arrangements proposed for the use, it is considered that there are unlikely to be significant residential amenity impacts arising from the proposals.

4.2.4 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require 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. The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments. These policies reflect general principles set out in Planning Policy Wales (PPW 10).

There are local concerns voiced at the adequacy of parking provision for the proposed use.

Highway Officers have raised no objection to the proposal.

The parking arrangement is proposed to be broadly as with the existing office, with 42 spaces being provided on site. The site is located within walking distance of the town centre and local shops and facilities and is close to the bus and train station. There are public car parks in close proximity to the site.

In Officers' opinion the parking provision would be adequate to accommodate the use, and there is no conflict with the highways considerations of Policy RD1.

4.2.5 Crime and disorder/ Local concerns over service users

Policy RD 1 - Sustainable development and good standard design test xii) states that development should take account of personal and community safety and security in the design and layout of development and public/private spaces and have regard to implications for crime and disorder.

Concerns have been raised by residents living in the area about the potential for increased disturbance and possible crime and disorder. North Wales Police, in their formal response on the application, have emphasised that they cannot evidence how the use would directly increase incidents of crime and disorder but do highlight their worries on whether the use could stretch their resources in this area of the County.

It is established that fear of crime can be a material consideration and test xii) of RD1 adds a policy hook for such a consideration, however like all potential impacts evidence is required to substantiate this as a ground for refusal of permission. The Agents have advised that the hospital would be secure, that perimeter fencing is proposed, the wards would be relatively small, and monitoring is likely to be provided. As such, the applicants contend it is unlikely that at risk patients would abscond from the facility. Whilst the potential for the use to create an additional burden for NWP is something to be noted, Officers do not feel that clear evidence is available to counter the applicants claims that the use can be acceptably managed so as to avoid any potential crime, disorder or general disturbance.

4.2.6 Issues relating to the need for the service, demand and implications of the use on the local NHS and police service.

Policy RD 1 - Sustainable development and good standard design test ix) states development must have regard to the adequacy of existing public facilities and services.

BCUHB and NWP have raised concerns relating to the need for the facility and operation issues on their services. These range from the local health board providers knowledge of such service which confirms that there would be limited need from their area for such a facility, therefore patients are likely to come from other areas, the implications on the NHS as an employer, to the impacts such a use might have on local policing.

Need

Whilst Officers acknowledge the basis of concerns expressed, it is important to recognise that there are no planning policy tests requiring need to be established for a hospital use, or assessment of impact on other service operators. It is unclear what land use planning justification these impacts provide for a refusal recommendation. There are separate legislative controls over the establishment of a hospital use under the control of the Healthcare Inspectorate for Wales which seem the most appropriate to consider the service related impacts of the proposals and issues such as those raised by the Health Board and Police.

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 Rhyl Town Centre, where serious investment and effort is being expended to secure regeneration. The Council has been working on various projects in the town to further this cause including the development of the 'Rhyl Masterplan'. These initiatives are being developed, but to date no specific document has been adopted with relevant planning status which could be used in respect of this planning application.

The main land use on Brighton Road is residential alongside the office accommodation on the application site. There are a range of sites around Rhyl town centre that provide support to individuals with varying mental health and substance dependency needs. Officers are aware that there have been instances of drug and alcohol related anti-social behaviour connected to existing support services in the town and this remains an issue for Service Providers and Officers engaged in delivering the Council's regeneration aims.

The Applicants have set out how the proposed use would be managed and confirm that it would be a secure facility. Whilst Officers accept that there may be concerns in relation to proliferation of support services and whether this is the type of environment suitable for a further potential influx of vulnerable people Officers consider there are limits on the weight which can be attached to this as a land use planning consideration. In this context, Members may recall dealing with an application for a Mother and Baby Unit in Bath Street in which this argument was used to frame a refusal, but the refusal was overturned on appeal owing to a lack of evidence.

Members should note the comments of BCUHB and NWP on this planning application, however, and decide what weight they feel should be afforded to them in relation to the character of Rhyl and the regeneration aspirations.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 Local Development Plan Policy PSE 3 'Protection of employment land and buildings' only supports the loss of employment land and buildings provided tests are met. It is questioned in this case whether loss of an office use would be acceptable in an area where there is evidence of need.
- 5.2 Officers note there are a number of other concerns regarding the application, however in the absence of tangible evidence to demonstrate the harm to other service providers and local residents, Officers consider it would be difficult to place weight on these considerations and resist the scheme on that basis.

RECOMMENDATION: REFUSE- for the following reasons:-

The reason is:-

1. It is the opinion of the Local Planning Authority that the proposal would result in the loss of office accommodation, in conflict with basic tests in Policy PSE 3 of the Denbighshire Local Development Plan, which require assessment of available alternative sites and marketing attempts to retain the use, and the loss of the use would prejudice the ability of the area to meet a range of local employment needs. The proposal would also be contrary to the requirements of criteria x) of Policy RD 1 and the principles and advice contained within Planning Policy Wales and Technical Advice Note 23: Economic Development.