

45/2019/0537

Scale: 1:1250

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# P01 REV A

# P01 REV A

APARTMENT 1 (SECOND FLOOR)  
TWO BEDROOM  
TOTAL FLOOR AREA 70m<sup>2</sup> (not including private  
stairway)  
NOMINAL OCCUPANCY = 4 PERSONS

APARTMENT 2 (FIRST FLOOR)  
ONE BEDROOM  
TOTAL FLOOR AREA 50m<sup>2</sup>  
NOMINAL OCCUPANCY = 2 PERSONS

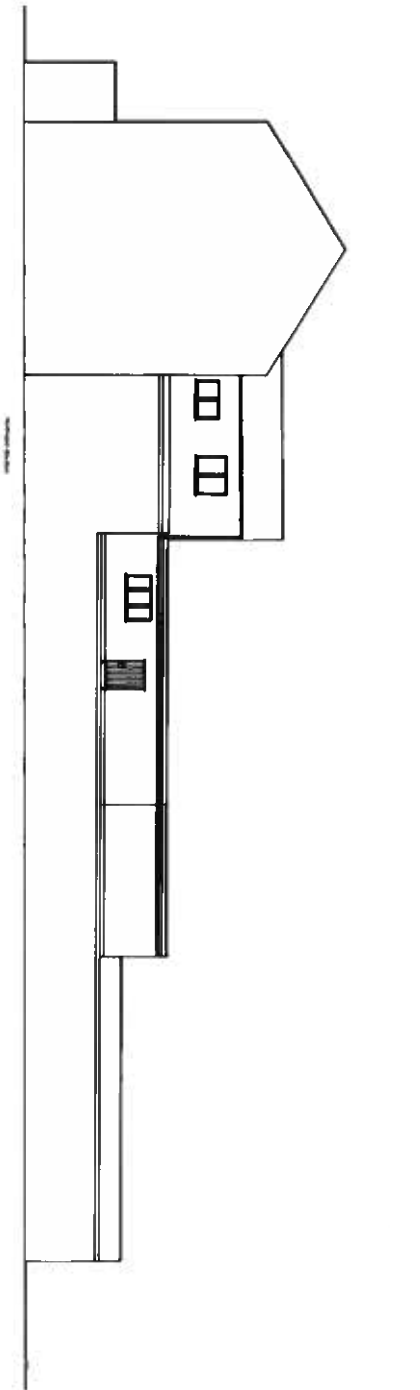
APARTMENT 3 (FIRST FLOOR)  
ONE BEDROOM  
TOTAL FLOOR AREA 47m<sup>2</sup>  
NOMINAL OCCUPANCY = 2 PERSONS

**PROPOSED GROUND FLOOR PLAN 1:100**

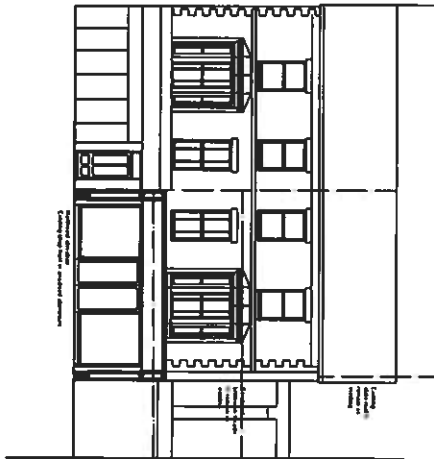
**PROPOSED FIRST FLOOR PLAN 1:100**

**PROPOSED SECOND FLOOR PLAN 1:100**

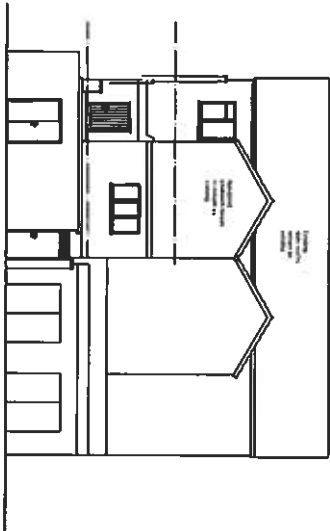




AS EXISTING BODFOR STREET ELEVATION 1:200



AS EXISTING REAR ELEVATION 1:200



AS EXISTING NORTH EAST ELEVATION 1:200

DRAWING NO EX 01b

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All drawings, plans, sections, elevations, levels and notes are assumed to be confirmed on site and agreed with LA Building Inspector and Barch (with us) if necessary.

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FOR PLANNING  
PERMISSION  
PURPOSES ONLY

DATE	REV/ DESCRIPTION	DWN	CHECK
DRAWING NO	EX 01b		
CLIENT	MR RICHARD ADDISON	PROJECT	CASH CONVERTERS 9 BODFOR STREET RHVL
WORK DESCRIPTION	PROPOSED CONVERSION TO APARTMENTS	DRAWING TITLE	AS EXISTING
DATE	31/05/19	SCALE	1:100@A1
CAD REF	PAPER	FILE NO	20_19
		PROJECT NO	20_19
		DRAWING TYPE	P



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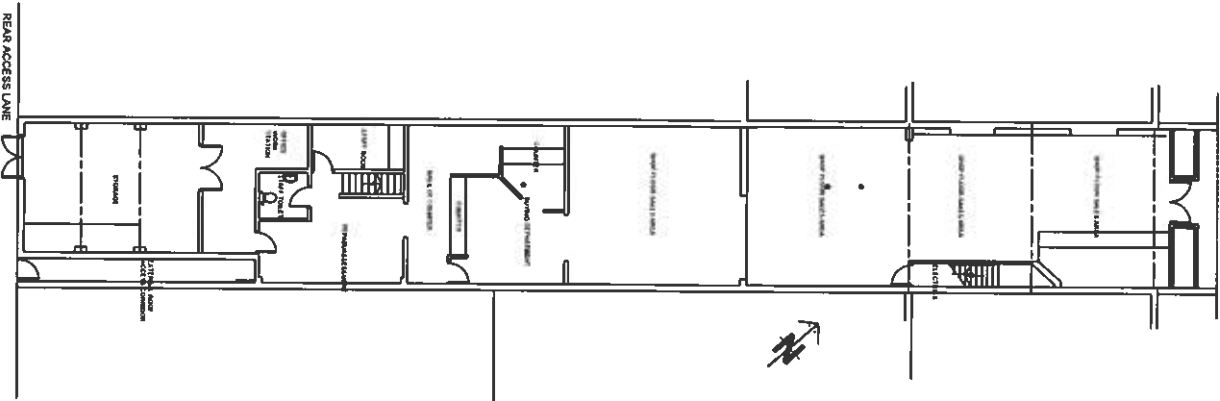




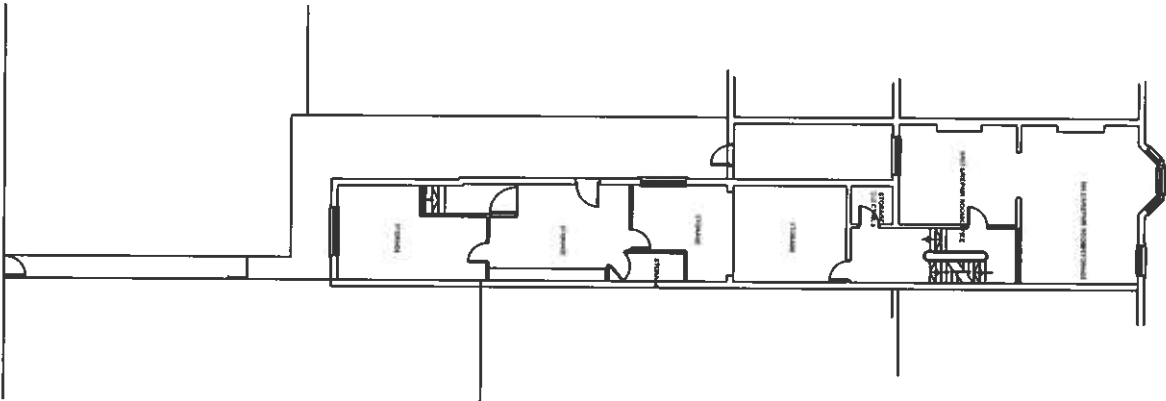
BODFOR STREET

BODFOR STREET

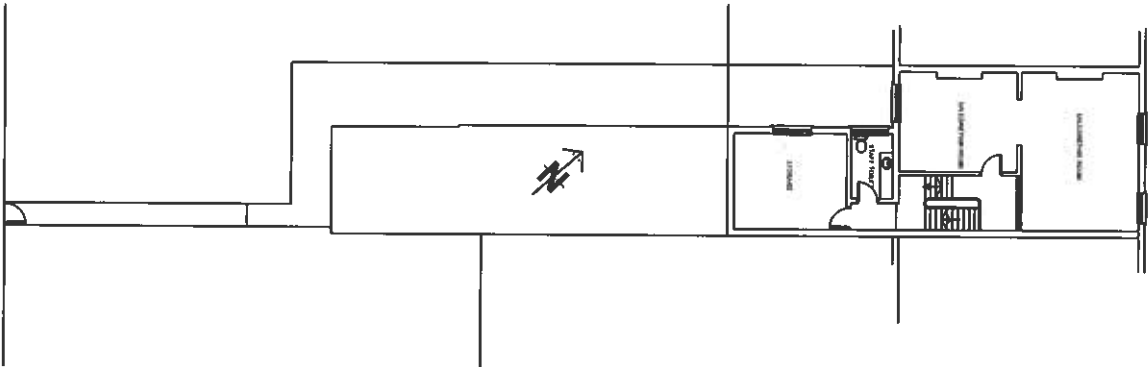
BODFOR STREET



AS EXISTING  
GROUND FLOOR PLAN 1:200



AS EXISTING  
FIRST FLOOR PLAN 1:200



AS EXISTING  
SECOND FLOOR PLAN 1:200

DRAWING NO:

EX 01a

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All draughting runs, connections, lines, levels and inverts are assumed, these are to be confirmed on site and agreed with LA Building Inspector and Bubble (weath writer) if necessary.

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# FOR PLANNING PERMISSION PURPOSES ONLY

DATE	REV	DESCRIPTION	DWN	CHECK
DRAWING NO EX 01a				
CLIENT		PROJECT		
MR RICHARD ADDISON		CASH CONVERTERS 9 BODFOR STREET RHYL		
WORK DESCRIPTION		DRAWING TITLE		
PROPOSED CONVERSION TO APARTMENTS		AS EXISTING		
DATE 31/05/19	SCALE 1:100@A1	PROJECT NO 20_19		
CAD REF P388F	FILE NO 20_19	DRAWING TYPE P		



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**WARD :** Rhyl West

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

**APPLICATION NO:** 45/2019/0537/ PF

**PROPOSAL:** Conversion of first and second floors to form 3 no. self-contained flats and formation of a separate access at front of existing retail unit

**LOCATION:** 9 Bodfor Street Rhyl LL18 1AS

**APPLICANT:** Mr Richard Addison Cash Converters

**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 – 4 or more objections received

**CONSULTATION RESPONSES:**

**RHYL TOWN COUNCIL**

**"Objection**

- the development represents over-intensification of the site which is considered too small to accommodate three flats.
- Concern that the proposed access to rear flat is via a series of unlit alleyways
- Lack of bin storage requiring domestic waste to be retained within the flats for up to a period of 1 month following the introduction of proposed new refuse collection regime.
- Lack of fire escape or access for emergency services to rear flat"

**DWR CYMRU / WELSH WATER**

No objection

**NATURAL RESOURCES WALES**

Flood Consequences Assessment deemed acceptable. Recommend inclusion of condition if the Planning Authority are minded to grant.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Highways Officer

No objection.

**Planning Policy**

No significant policy conflicts, recommend development contributions are provided in line with planning policy requirements.

**RESPONSE TO PUBLICITY:** None received.

**EXPIRY DATE OF APPLICATION: 09/12/2019**

## EXTENSION OF TIME AGREED? 13/12/2019

### 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 conversion of the upper floors of 9 Bodfor Street in Rhyl to form 3 self-contained flats.
- 1.1.2 The conversion would comprise of two one bedroom flats on the first floor and one two bedroom flat above. The one bedroom flats would measure 47 square metres and 50 square metres in area, and the two bed flat would measure 70 square metres.
- 1.1.3 The flats would be accessed from the ground floor off Bodfor Street via an entrance to a set of communal stairs proposed to be installed alongside the existing shopfront.
- 1.1.4 Externally there would be no significant alterations proposed. Windows and doors to the rear/side would be upgraded to meet fire regulations and a fire escape is proposed to be installed from the second floor to the rear of the site. An amenity area is also proposed at the rear of the building to accommodate bin stores for the flats and existing ground floor business.

##### 1.2 Description of site and surroundings

- 1.2.1 The three storey terraced property is located on the western side of Bodfor Street in Rhyl Town Centre.
- 1.2.2 The ground floor is currently occupied by 'Cash Convertors' personal loans and pawn broking shop. Historically the upper floors have been used for storage.
- 1.2.3 There is a mix of uses in this area of the town centre with A1 shops, A3 food and drink uses and A2 offices. In general, the ground floor uses are predominantly commercial with some residential uses on the upper floors.

##### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhyl and within the allocated town centre PSE 8 allocation.
- 1.3.2 It is within the Rhyl Central Conservation Area.

##### 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 Since the submission of the application, additional information has been provided by the Agent to address the concerns of the Town Council.  
This advises:
  - The access to the rear apartment would in fact be via the new entrance and stairway off Bodfor Street, the same that would serve the other two flats. The proposed rear external stair is for emergency egress only.
  - We have proposed a new bin storage area to the rear of the building on the ground floor.
  - At 47sqm apartment 3 is slightly shy of the minimum 50sqm given by the space standards SPG but it does comply with the minimum standards for bedroom and living room floor areas.

1.6 Other relevant background information  
None.

**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 BSC1** – Growth Strategy for Denbighshire

**Policy BSC3** – Securing infrastructure contributions from Development

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

**Policy PSE8** – Development within town centres

**Policy VOE5** – Conservation of natural resources

**Policy ASA3** – Parking standards

**Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Parking Requirements in New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Residential Development

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

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, 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)

4.1.5 Open Space

4.1.6 Floodrisk

4.1.7 Fear of crime

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 seen.

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 policy refers to meeting the housing needs of local communities through the provision of a range of house sizes, types and tenure to reflect local need.

Policy BSC 7 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 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, and seeks to resist further such developments.

Policy RD1 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 to Housing is in the National Housing Strategy and seeks to provide more housing of the right type and offer more choice; improve homes and communities, including the energy efficiency of new and existing homes; and 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 the upper floors of a building within the town centre to residential use. Residential development within a development boundary is encouraged, and the change of use of upper floors in the town centre is generally to be welcomed as 'living above the shop' as a planning principle has been found to contribute to the vitality of town centres. Hence is it not considered that the proposal raises issues of principle running contrary to planning policies.

#### 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.

The application proposes minor external alterations to the frontage of the building, in the form of a new doorway adjacent to the existing shopfront. The shopfront is a modern design of no particular design merit. The alterations to the rear would be around existing openings and largely obscured from wider views owing to the nature of development at the rear of the site.



In Officers' opinion, there are no concerns in relation to visual amenity impacts arising from the proposed development.

#### 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. Policy BSC 7 and SPG Residential Floor Space Standards also require amenity issues to be considered for proposals to subdivide properties in to self-contained flats.

Three flats are proposed as part of the development. Whilst one of the flats falls marginally short of the adopted floor space standards in the SPG (by some 3 sq. m), this is not considered to be so far short as to be unacceptable. The remaining flats meet the standards in the SPG.

It is not considered there are likely to be any adverse residential amenity issues arising from this proposal, which is deemed to be acceptable in terms of Policy RD1, BSC 7 and the guidance in the SPG.

#### 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. These policies reflect general principles set out in Planning Policy Wales (PPW 10).

There is no parking available or proposed for the development. Restricted day time on street parking is available on Bodfor Street. The site is located within the town centre within walking distance of the bus and train station. The Head of Highways has raised no objection to the scheme.

In respect of parking issues, these are small flats in a town centre location. Planning policies are in place to reduce reliance on the private car and promote sustainable means of transport, and therefore is not considered that the proposal conflicts with the highways considerations of Policy RD1.

#### 4.2.5 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 sets out the requirements for open space provision in relation to new developments, with further detail being provided in SPG Recreational Public Open Space (2017).

The application proposes 3 flats with a bin space area, but there is no external amenity space, which is a common scenario in town centre locations. In order to comply with policies on open space in connection with new residential units, it would therefore be necessary to secure the requisite contribution being via a S106 agreement or Unilateral Undertaking.

#### 4.2.6 Floodrisk

TAN 15 is Welsh Government's planning guidance note relating to flood risk. The aim of TAN 15 is to direct new development away from those areas which are at high risk of flooding, and to only permit development in high risk areas which can be justified on the basis of the tests outlined in the TAN.

The site is located within a C1 flood zone, described as "areas of the floodplain which are developed and served by significant infrastructure, including flood defences." An FCA was submitted in support of the application which outlined the potential flood risks at the site and set out series of flood resilient and resistant measures to provide a means of reducing the potential impacts of flooding. NRW considered the FCA and have advised they do not object to the development.

Having regard to the NRW advice in relation to flooding issues, it is considered that the proposal is not in conflict with policy TAN 15 in terms of flood risk.

#### Other matters

##### Comments of the Town Council

The comments of the Town Council have been largely addressed in the updated plans submitted by the Agent as the report was being prepared. The Town Council have been reconsulted and any response received by the time of the Committee meeting will be reported in the Late Information Sheets.

##### 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 With respect to the comments of the Town Council, Officers accept there were some concerns regarding the originally submitted proposal, but it is considered revisions to the plans have addressed these and that the application is broadly compliant with planning policy. Hence the application is recommended for grant.

**RECOMMENDATION:** - It is recommended that permission be GRANTED subject to:

- Completion of an Agreement under Section 106 of the Planning Act to secure an open space contribution of £1237.22 (as per OS Calculator).

In the event of failure to complete the Agreement within 12 months of the date of the resolution of the grant of permission, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

The Certificate of Decision would not be released until the completion of the Agreement.

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

1. The development to which this permission relates shall be begun no later than .....insert DATE 2024
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 elevations (Drawing No. EX01b) received 13 June 2019
  - (ii) Existing floor plans (Drawing No. EX01a) received 13 June 2019
  - (iii) Proposed elevations (Drawing No. P01) received 13 June 2019
  - (iv) Proposed floor plans (Drawing No. P01 Rev A) received 19 November 2019
  - (v) Location plan received 13 June 2019
3. None of the flats hereby permitted shall be occupied until provision has been made within the site for the bin stores in accordance with the details approved by the Local Planning Authority.
4. The development shall be carried out strictly in accordance with the Flood Consequences Assessment ""Flood Smart Pro"" dated 10/11/2019, and the recommendations in relation to flood proofing measures and flood plan production therein.

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 ensure the units are serviced by adequate storage and drying facilities in the interests of visual and residential amenity.
4. In the interest of reducing the potential impacts of flooding.