



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

Ref No 45/2011/1510/PF
4 Wellington Road
Rhyl



Application Site

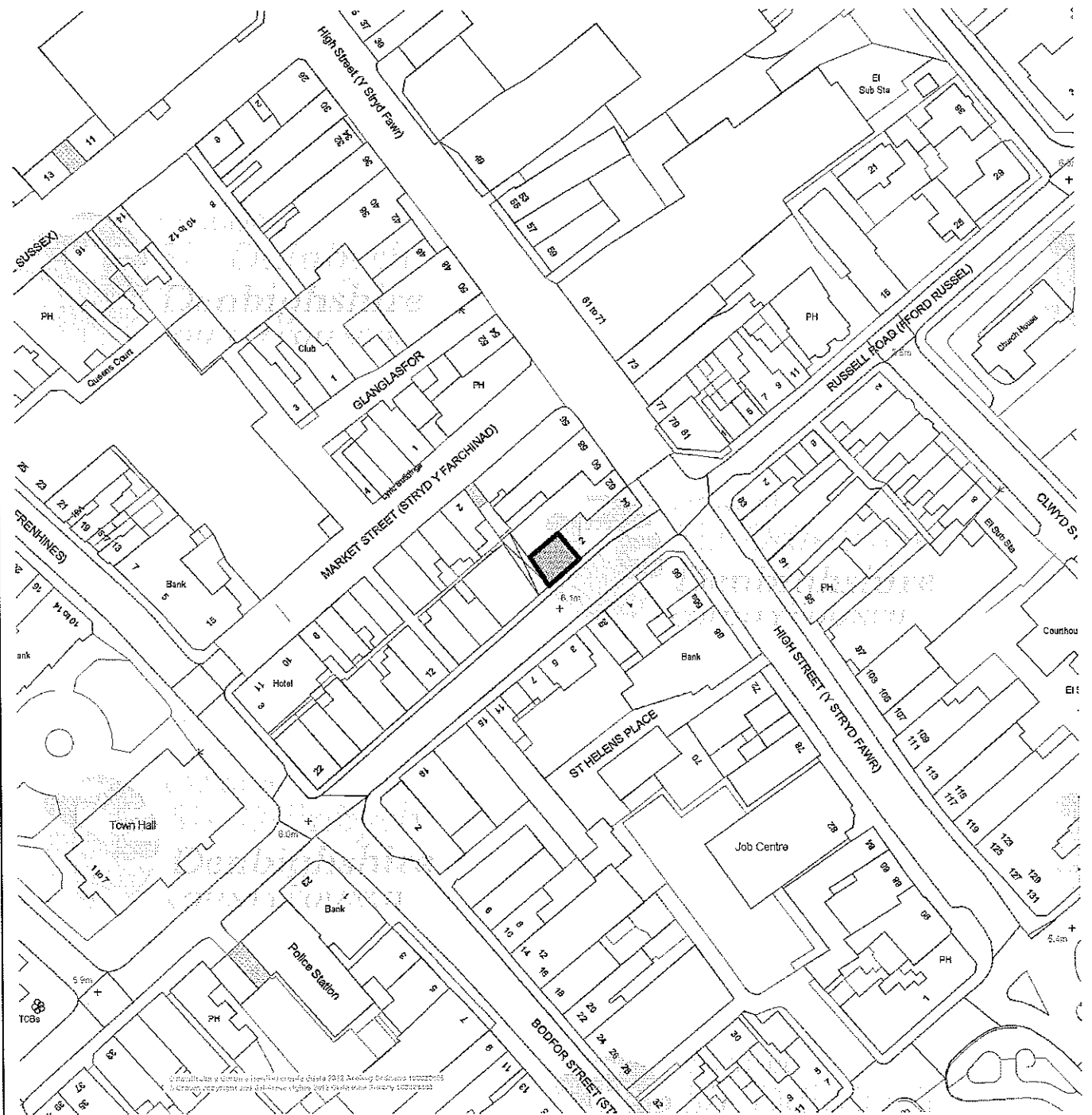


Date 4/4/2012

Scale 1/1250

Centre = 300834 E 381418 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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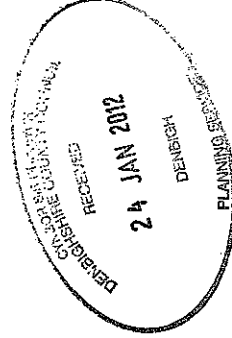
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CONTRACTOR PLEASE NOTE:

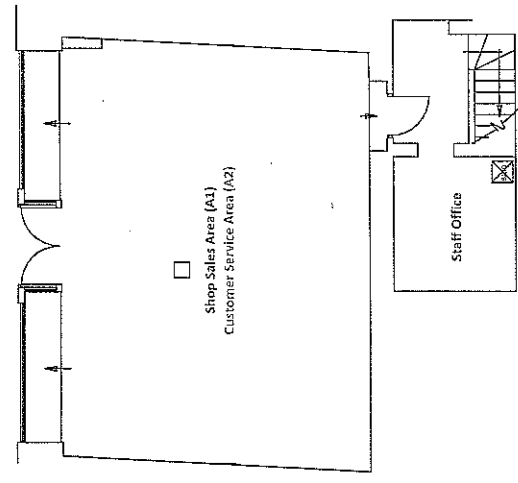
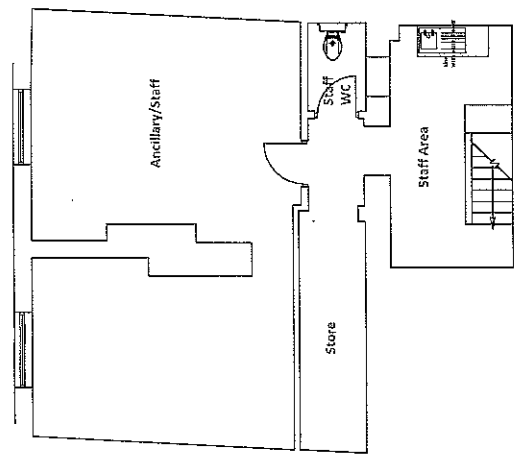
- 1) Warning: no dimensions to be added from this drawing. All Contractors must take care and be responsible to follow and check the dimensions of the work. The Designer must be advised of any discrepancies in writing.
- 2) The drawing must be used in conjunction with the Specification of Conditions and related drawings. Any structural work must be carried out to the exact specification and any amendments must have the express prior written authority.
- 3) All structural work must be inspected at all relevant stages by the Structural Engineer and the Local Authority's Building Department. The Designer is not responsible for any damage caused for damages less of kinds, not incurred by failing to do are the sole liability of the Contractor.
- 4) Any discrepancies between drawings and specification should be reported to the Designer prior to any work commencing.

Rev A/B/C/D	Date:
blik ARCHITECTURAL CONSULTANTS	
Job title 4, Wellington Road, Rhyll CHEQUE CENTRE	
Drawing title Existing & Proposed Plans	
Scale: 1:100 @ A3	Drawing No.
Date: Jun 2012	694/01
Drawn by:	

FLOOR PLAN



Key to Room Labels
 Existing
 Proposed
 Existing (Unchanged)



EOC

ITEM NO: 7
WARD NO: Rhyl West
APPLICATION NO: 45/2011/1510/ PF
PROPOSAL: Change of use of ground-floor from shop (Class A1) to Financial & Professional Services (Class A2)
LOCATION: 4 Wellington Road Rhyl
APPLICANT: Ms Fiona MacFadyen Cheque Centre Limited
CONSTRAINTS: C1 Flood Zone
Town Heritage Area
Conservation Area
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**

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

"Objection, the Council believes that the loss of an A1 shop in this vicinity would be contrary to the Rhyl Going Forward Strategy. The Council would also question the accuracy of the submitted application in that the property is currently an active quality shop and not as described in the report a 'vacant unit'. In addition in the vicinity of the premises two retail units have opened within the past 18 months demonstrating a need in this locality for class A1 units".

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

CONSERVATION OFFICER- RHYL TOWNSCAPE HERITAGE INITIATIVE OFFICER

Regrets the potential loss of retail premises in this location and stresses that any signage required in the future would require consent.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 19/03/2011

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Planning permission is sought for the change of use from a retail shop (use class A1) to financial/professional services use (use class A2).
- 1.1.2 No external alterations are proposed as part of the application. The internal layout is also proposed to remain as existing, with the A2 use on the ground floor and staff accommodation and storage on the first floor.
- 1.1.3 The opening hours are proposed to be 0900-1730 Monday to Saturday.

1.2 Description of site and surroundings

- 1.2.1 The property is located on the northern side of Wellington Road, in the first block of units to the west of the High Street. It is currently in use as an antique and second hand shop.
- 1.2.2 The site is surrounded by a mixture of mainly retail uses, with a computer game shop to the east and a bridal shop to the west.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the development boundary of Rhyl and is within a RET 1 area, which is a Designated Town and District Centre in the Unitary Development Plan.
- 1.3.2 The site is also located within the Rhyl Central Conservation area.

1.4 Developments/changes since the original submission

- 1.4.1 Additional information was sought from the Applicant to support their case. The following information was submitted:
 - There is a current tenant in the property who intend vacating it on the 31st May 2012.
 - Mason and Partners have marketed the property for several months by the following means; a sign-board, through retail agents and on the websites Propertyshop and EG Property Link.

1.5 Other relevant background information

- 1.5.1 None.

2. DETAILS OF PLANNING HISTORY:

- 2.1 No recent planning history. The last application for change of use of upper floors to storage was in 1981.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy GEN 1- Development within development boundaries
Policy GEN 6- Development control requirements
Policy RET 1- Town & District Centres
Policy RET 6- Town & District Centres: Non A1 Uses
Policy CON 5- Development within conservation areas

- 3.1 Supplementary Planning Guidance
SPG 13- Conservation Areas

3.2 GOVERNMENT GUIDANCE

3.3 Other Material Considerations
Rhyl Going Forward Strategy
Rhyl Going Forward Delivery Plan

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

- 4.1.1 Principle
- 4.1.2 Impact on the vitality and viability of the Town Centre
- 4.1.3 Impact on visual amenity/conservation area
- 4.1.4 Impact on amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle

The proposal needs to be assessed in the context of a number of policies. Policy RET 1 states that Town Centres should be the main location for retail and commercial development providing a proposal is of an appropriate scale and type and that it serves to maintain or enhance the vitality of the Town Centre itself. Policy RET 6 allows for the change of use to Non A1 uses within town centres provided that it maintains, enhances and improves the viability and vitality of a centre and is of a scale and type which is in keeping and does not have an unacceptable impact upon the surrounding area. The detailed impacts of the change of use are considered below.

4.2.2 Impact on the vitality and viability of the Town Centre

Policies RET 1 and RET 6 require due consideration of the impact of proposals on a town centre, and oblige assessment of impact on viability and vitality. The general town centre policy RET 1 aims to concentrate retail and commercial development in town centres which maintain the vitality and viability of those centres. It refers to a broad cross section of facilities in town centres and specifically mentions a range of Use Classes which may contribute to the attractiveness and competitiveness, which include A1 shops, A2 and A3 uses. Policy RET 6 allows a range of non A1 uses which compliment the retail function as long as these uses are not clustered together. The policies do not preclude change of use to A2 uses, and refer to circumstances where a flexible approach may be justified, for example, where there are vacant premises unlikely to function again as shops.

The Rhyl Going Forward Strategy and Rhyl Going Forward Delivery Plan note the importance of maintaining a range of retail functions particularly in the town centre, but provide no specific land use planning guidance on the handling of applications.

A basic survey of uses in the locality shows there are a mix of uses in this part of Wellington Road, however the predominant use is A1 shops. No. 4 is currently in use as an A1 shop.

The comments from Rhyl Town Council over the loss of an A1 shop are to be noted, and raise issues requiring due consideration here, as they reflect concerns expressed previously at Planning Committee in July 2011, when a similar use was permitted on the High Street for a 'Moneyshop'. Whilst officers fully respect the concerns over this type of use being appropriate in an area where there has been substantial investment in regeneration and infrastructure. (Matters central to the Rhyl Going Forward Strategy and more recently the Rhyl Going Forward Delivery Plan). Officers believe there is no planning policy basis for a refusal of permission. Policy

RET 1 in particular actually allows for retail and commercial development encompassing a range of uses including A1 and A3 uses in town and district centres.

4.2.3 Impact on visual amenity/conservation area

Policy CON 5 seeks to ensure that development does not harm the appearance or character of the conservation area.

No physical external alterations are proposed to the building and signage would require separate consent.

With respect to the comments of the Rhyl Townscape Heritage Initiative Manager, Officers opinion is that the loss of an A1 use in this location would not necessarily have adverse impact on the character of the large conservation area. Issues of active shop window displays can legitimately be covered by conditions if a permission were to be granted. Officers consider that the proposal accords with policy CON 5.

4.2.4 Impact on amenity

Policy GEN part v) seeks to ensure that development does not harm the amenity of surrounding users.

The site is located in a town centre location and has staff accommodation and storage on the upper floors. The opening hours proposed are proposed to be fairly standard, i.e. 09:00-17:30 hours Monday to Saturday.

Considering the above it is not considered the nature of the use proposed would give rise to material harm to occupiers/ users of nearby property. The proposal therefore accords with policy GEN 6 part v).

5. SUMMARY AND CONCLUSIONS:

In conclusion, Officers acknowledge concerns over the proposal but do not consider there are sound planning policy grounds for opposing the application, and do not consider that the proposal would have a detrimental impact on the vitality and viability of the town centre, in conflict with the objectives of the retail policies of the Unitary Development Plan or local regeneration strategies.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No alterations to the shop front shall be permitted to take place other than with the prior formal written approval of the local planning authority to the detailing thereof.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.

NOTES TO APPLICANT:

None