



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

Ref No 45/2012/0042/PC
 Molly Mouse Day Nursery
 Princes St, Rhyl



Application Site

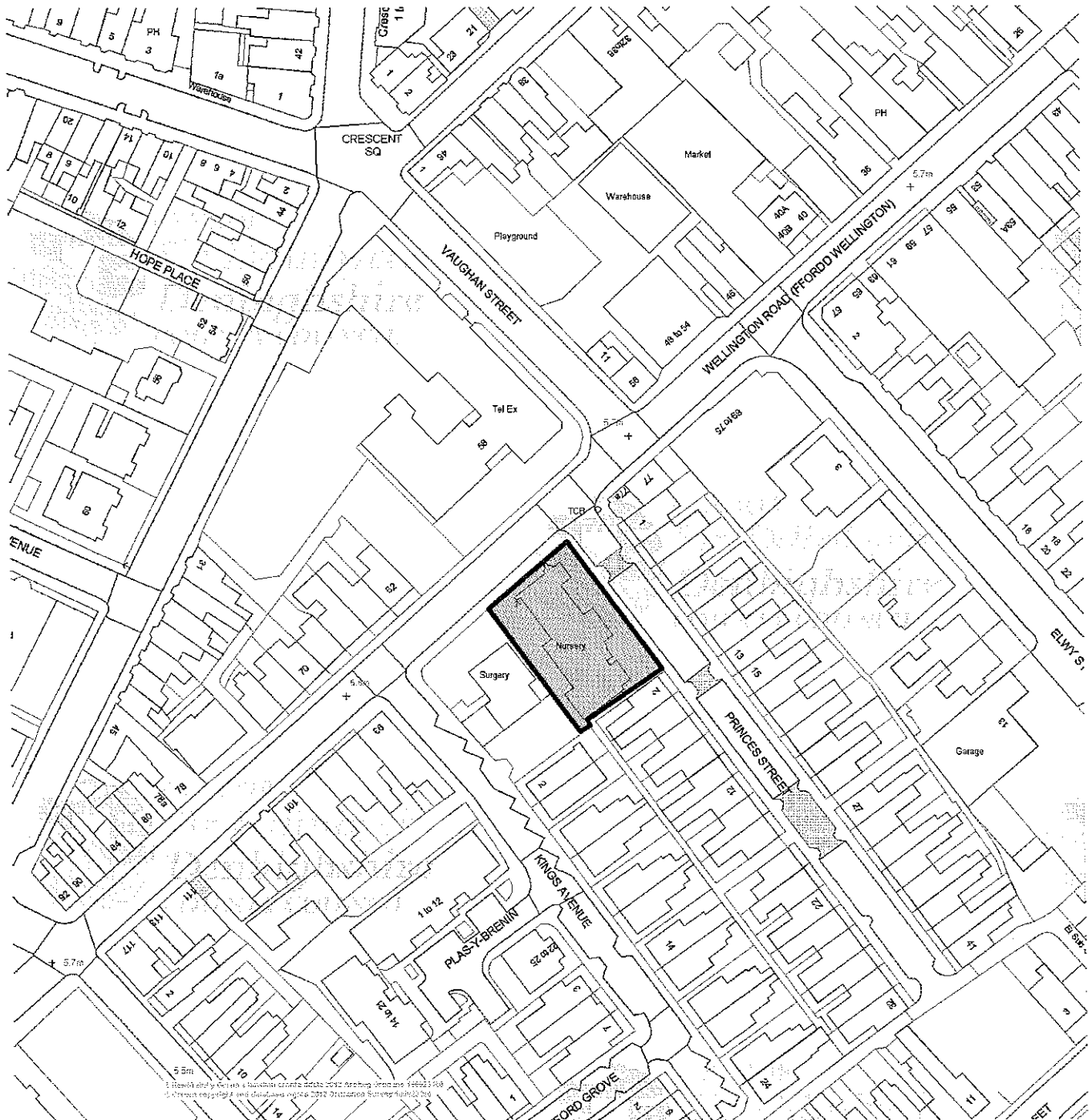


Date 4/4/2012

Scale 1/1250

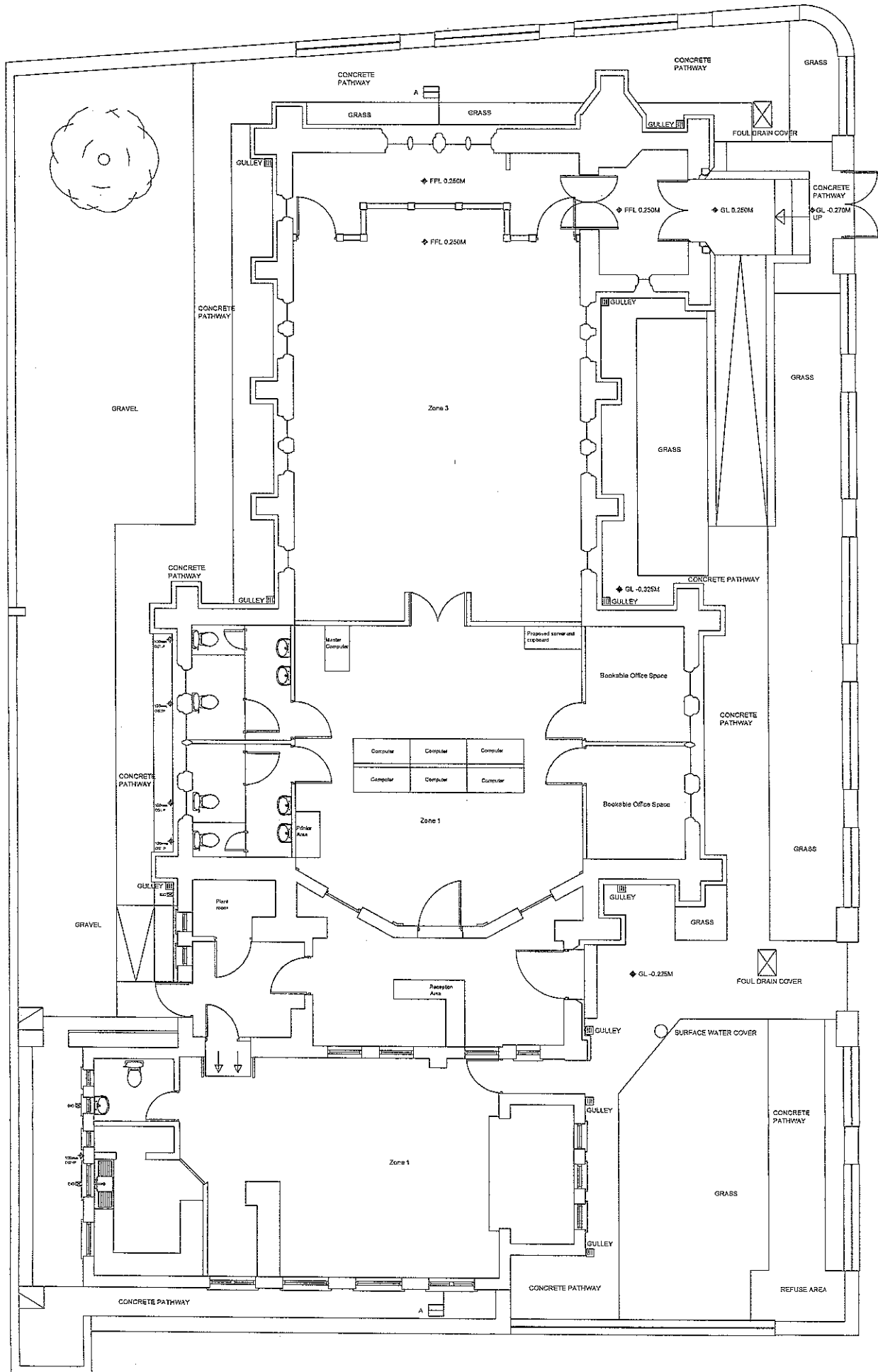
Centre = 300598 E 381186 N

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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Proposed SITE/FLOOR PLAN (Scale 1:100)

CLIENT: PENNAF HOUSING LTD
 PROJECT TITLE: CHURCH ON PRINCESS STREET.
 PROJECT TITLE: MEASURED DWGS
 DRAWING TITLE: SURVEYED FLOOR PLAN AND SITE PLAN

DATE: SCALE: PROJECT NO: 10_10 DWG NO:
 CAD REF: XREF FILE NO: PS_10 DRAWING TYPE:

45/2012/0227 PC

EOC

ITEM NO: 8
WARD NO: Rhyl West
APPLICATION NO: 45/2012/0042/ PC
PROPOSAL: Internal alterations and change of use to provide multi use community facility including cafe/food co-op, resource centre and community meeting venue (retrospective application)
LOCATION: Molly Mouse Day Nursery The Church Princes Street Rhyl
APPLICANT: Pennaf Ltd.
CONSTRAINTS: C1 Flood Zone
PUBLICITY UNDERTAKEN: Article 4 Direction
Site Notice - No
Press Notice - No
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2**

- Recommendation to grant– 4 or more objections received.
- Recommendation to grant– Town / Community Council objection.

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

“The Council is concerned at the potential impact of the development on neighbouring properties and would request that any consent be given for an initial temporary 9 month period so as to enable impact on residential amenities to be monitored and assessed. The Council would also request a condition limiting the opening hours of the meeting room to 5.30 pm to avoid parking by users within the adjacent streets at a time with parking enforcement officers are not on duty”.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
HEAD OF HIGHWAYS AND INFRASTRUCTURE**

No objection.

RESPONSE TO PUBLICITY:

Representations received from:

N. Muskett, Flat 1, 22, Princes Street, Rhyl
G. Hanlon, 13, Princes Street, Rhyl
M. Beckworth, 8, Princes Street, Rhyl
The Owner/Occupier, Flat 1, 19, Princes Street, Rhyl
Mrs. A. Buchanan, 17, Princes Street, Rhyl
The Owner/Occupier, Flat 3, 19, Princes Street, Rhyl
The Owner/Occupier, Flat 2, 10, Princes Street, Rhyl
A. B. Campbell, Flat 1, 7, Princes Street, Rhyl
R. C. Lodge, Flat 2, 10, Princes Street, Rhyl (OBJECTION WITHDRAWN)

Summary of representations:

Highways impacts- proposal would lead to congestion and parking problems in adjacent streets/ interfere with residents parking and doctor's surgery.

EXPIRY DATE OF APPLICATION: 07/03/12

REASONS FOR DELAY IN DECISION (where applicable):

- Timing/ receipt of representations.
- Additional information sought regarding the use was sought.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks full planning permission for a change of a children's activity centre facility at The Church, Princes Street in Rhyl. A mixed use is proposed to provide a multi use community facility including a cafe/food co-op, resource centre and community meeting venue. It is a partly retrospective application, as internal alterations have already been carried out.
- 1.1.2 No external alterations are proposed. Internally the building would be zoned into three large spaces, some smaller office accommodation, kitchen areas and wc's.
- 1.1.3 The application submission includes the following documents:
- Design and Access Statement (DAS) which refers to the site context and constraints, accessibility, character, community safety and environmental sustainability.
 - The DAS states that the proposed use would accommodate Bedford Street Community Group working in association with Clwyd Alyn Housing Association.
 - The DAS provides details of the use and advises it involves a community café for light lunches and sandwiches, a food co-op which would be a volunteer based food exchange, a resource centre which would provide advice and computer use, a community transport office which would provide advice and services for over 55's, and a meeting venue for general community use.
 - Separate supporting information from the Applicant which states that the Community Group who will be using the building will be moving to alternative accommodation when the other building is ready. As the proposed building is still going through planning and will require extensive works to be undertaken 9 months as suggested will not be a sufficient period, Clwyd Alyn/ Pennaf would request that a 2 year permission be considered.

1.2 Description of site and surroundings

- 1.2.1 The site has a frontage to Princes Street and Wellington Road and is located to the south west of Rhyl Town Centre.
- 1.2.2 The area comprises a mix of residential uses on the side streets and commercial uses fronting Wellington Road. There is a doctor's surgery to the west of the site fronting Wellington Road and Kings Avenue and residential properties on Princes Street to the south.
- 1.2.3 The existing lawful use of the church is an indoor children's play area which included a play area, baby area, seating/dining area, staff room and toilets, private hire community room, kitchen, public toilets, storage and entrance.

1.2.4 The planning history shows that the site has operated as a children's activity centre since late 2006 and no complaints have been received.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Rhyl.

1.4 Relevant planning history

1.4.1 The Church has had planning permission for change of use to a play centre in 2006 and a nursery and play centre in 2008.

1.5 Developments/changes since the original submission

1.5.1 Additional information has been provided by the Applicant to detail the proposed uses. This is referred to in Section 1.1.

1.6 Other relevant background information

1.6.1 The application is being considered by Planning Committee having regard to the comments of the Town Council and number of third party objections received.

2. DETAILS OF PLANNING HISTORY:

2.1 45/2006/1217 Change of use from Class D1 place of worship to Class D2 children's indoor play centre. Granted under delegated powers 05/12/2006.

2.2 45/2008/736 Change of use to allow use of premises as nursery Monday-Friday and as playcentre Saturday and Sunday. Granted under delegated powers 20/08/2008.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

- Policy GEN 1 Development within Development Boundaries
- Policy GEN 6 Development Control Requirements
- Policy Gen 6 - Development Control Considerations
- Policy CF1- Community Facilities
- Policy TRA 6 Impact of New Development on Traffic Flows
- Policy TRA 9 Parking and Servicing Provision

3.2 SUPPLEMENTARY PLANNING GUIDANCE

SPG 8 Access for All

3.3 GOVERNMENT GUIDANCE

Planning Policy Wales Edition 4
TAN 12 Design

4. MAIN PLANNING CONSIDERATIONS:

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

- 4.1.1 Principle
- 4.1.2 Visual and landscape impact
- 4.1.3 Amenity impact
- 4.1.4 Highway impact
- 4.1.5 Design Access / Inclusive Access

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of the proposed development accords with Policy GEN 1, as the site is located within the development boundary of Rhyl. Policy CF 1 refers to

community facilities and it permits new and improved community facilities which should be located centrally so as to serve the local population, accessible to non car users, where possible re-use existing vacant buildings.

With respect to the comments of the Town Council, the Agent has advised that the property is being used as temporary venue until the planning permission and works at Water Street are complete. They have no objection to a temporary permission but feel two years would be more realistic than the suggested 9 months. As there are no real policy conflicts with the proposal, Officers suggest it would be difficult to justify the suggested 9 month permission and that a 2 year permission would be more reasonable.

In principle it is considered the proposal meets the requirements of policy CF1 owing to the location in Rhyl town centre, the accessible nature of the site, and the fact it would be re-using an existing vacant building.

Policy GEN 6 must also be applied to assess the detailed impacts of this planning application, and the detailed issues are relevant to this policy are set out below.

4.2.2 Impact on visual amenity

Policy GEN 6 contains general considerations to be given to the visual impacts of new development.

The application proposes no external alterations to the building. Internally the changes are predominantly non-permanent, i.e. the use of stud partition wall to zone the activity areas.

In Officer's opinion the scale and nature of the internal alterations, and fact that there are no external changes, mean the use can be accommodated on site without detriment to the visual amenity of the building or area.

It is not considered the proposal would conflict with GEN 6 tests relating to visual amenity.

4.2.3 Impact on residential amenity

Policy GEN 6 sets specific tests to be applied to the amenity impacts of development.

The application proposes a mix of uses within an existing building. The lawful use of this building is a children's nursery and play centre. There are no objections to the residential amenity impacts.

Considering the details of the proposed use, and the location of the site in Rhyl town centre, it is not considered that the use would have any greater impact on the residential amenity of adjacent occupiers than the existing use or adjacent town centre uses.

It is not considered the proposal would conflict with GEN 6 criteria relating to residential amenity.

4.2.4 Impact on highway safety

Policy GEN 6 and TRA 6 and TRA 9 require consideration of access and highway safety issues.

Historically there has been no on site parking for the church and there is no on site parking for the proposed use. The Applicant has indicated that the users of the meeting venue would be advised to park in public car-parks in

the town centre rather than on adjacent streets. Highways Officers have raised no objection to the proposal. In the opinion of Officers that the proposed uses would not be any more intensive than the lawful planning use. Furthermore traffic movements are unlikely to be significant owing to the community nature of the use. It is likely that daytime users would visit the site on foot and evening users would be encouraged to use public car-parks.

It is not considered there are any policy conflicts relating to the highway safety issues.

4.2.5 Design & Access/Access for All

TAN 12 Design and TAN 22 Sustainable Buildings include an obligation to demonstrate an acceptable approach to a range of design considerations, including how inclusive design are to be achieved. These reflect general requirements in the Strategic Policies of the Unitary Plan to ensure sustainable development principles are embodied in schemes.

The Design & Access Statement confirm detailed proposals for ensuring ease of access to and within the building for persons with disability.

It is suggested that the proposals demonstrate a satisfactory approach to inclusive design.

5. SUMMARY AND CONCLUSIONS:

5.1 With respect to the comments expressed the proposal is considered acceptable under the relevant policies and therefore recommended for grant.

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. This use of the building hereby approved shall cease and the use shall revert to the lawful use as a children's play centre no later than 2 years from the date of this permission.

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 order to monitor the impact of the use.

NOTES TO APPLICANT:

You are advised concerns have been raised from local residents and the Town Council over the potential for parking on adjacent streets, particularly in the evening. It is noted that the proposed booking form refers to a booking condition to encourage service users to park in public car-parks and asked to operate this system to respect their concerns.