



**CYNGOR**  
**Sir Ddinbych**  
**Denbighshire**  
**COUNTY COUNCIL**

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

REFERENCE NO. 45/2012/0716/PF  
60/62 High Street,  
Rhyl

23



Application Site

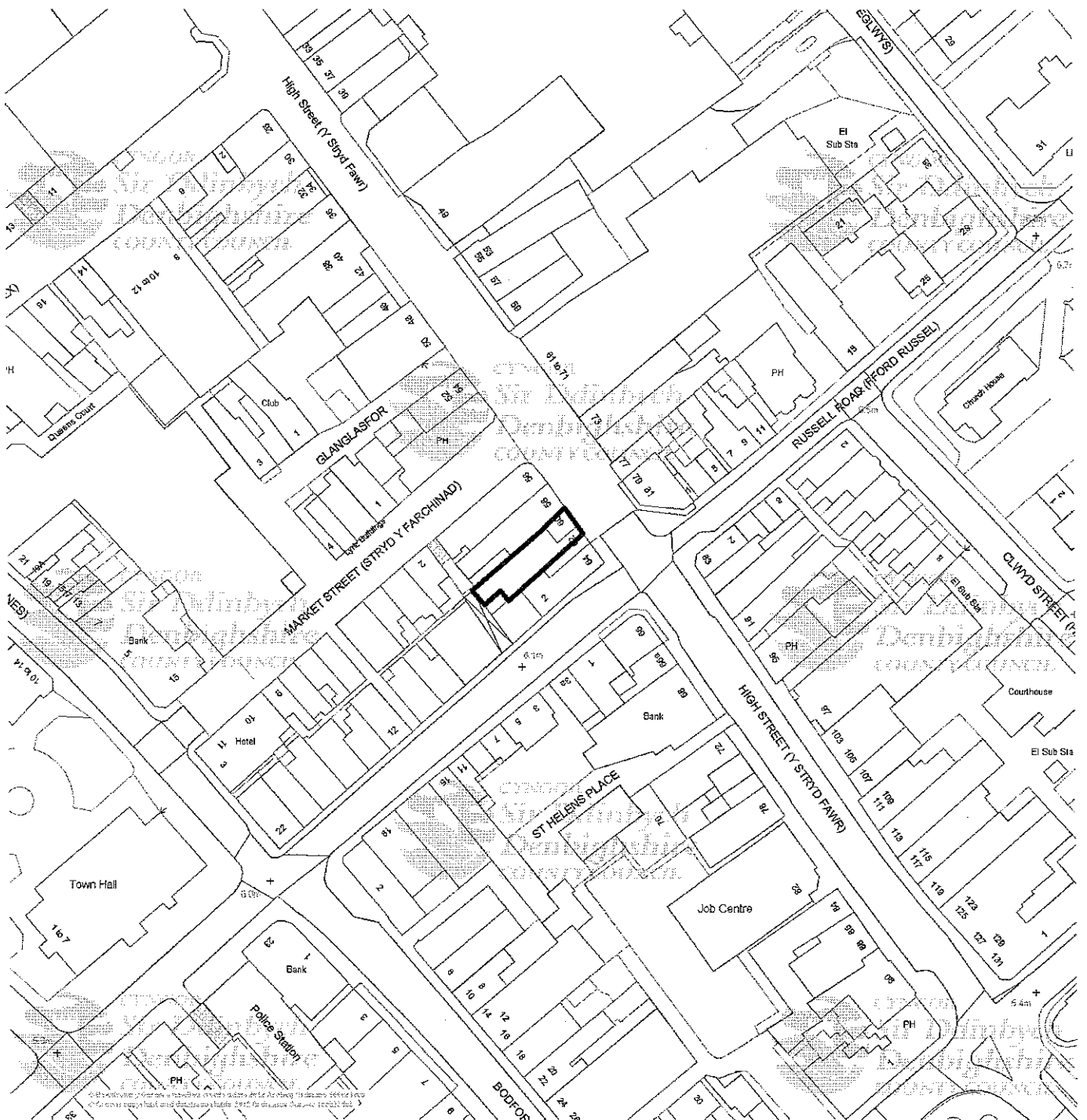


Date 22/8/2012

Scale 1/1250

Centre = 300841 E 381430 N

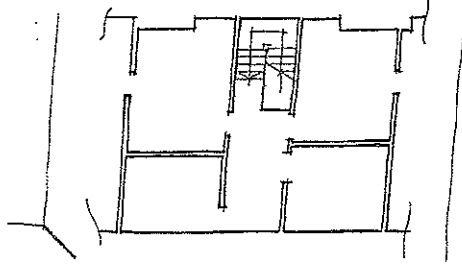
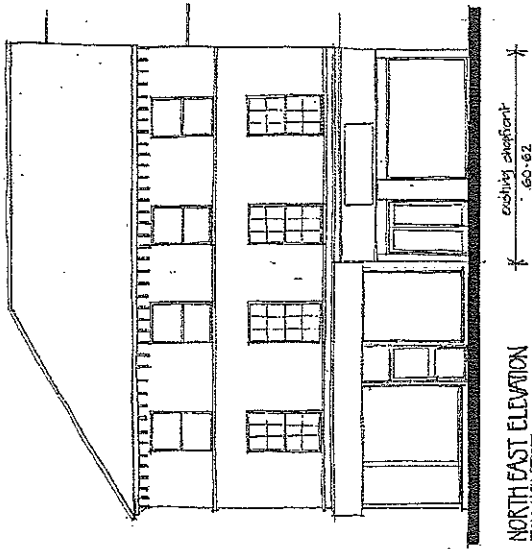
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council. 100023408. 2011.

Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrthdy. © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torth hawffraint y Goron a gall hyn arwain at erlyniad neu achos siŵl. Cyngor Sir Ddinbych. 100023408. 2011.

# FLOOR PLAN



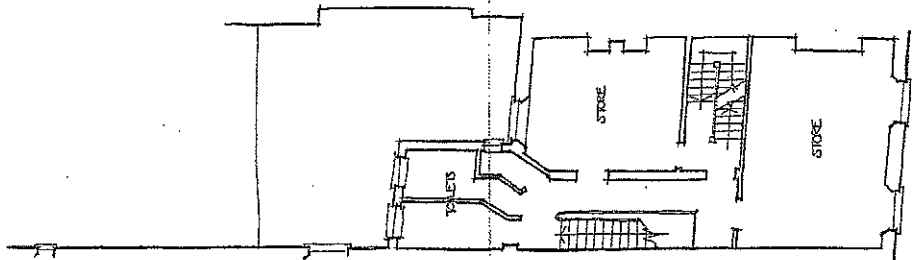
THIRD FLOOR

**Day o Tanner Partnership** ARCHITECTURE AND PLANNING

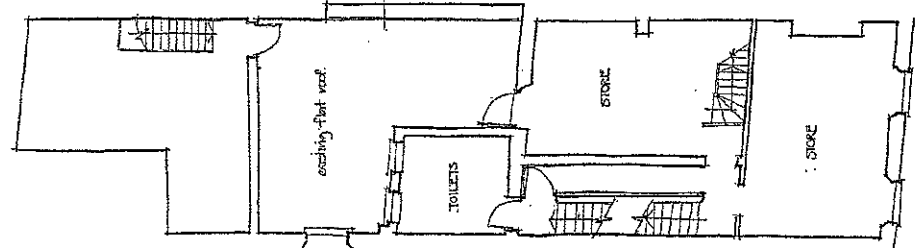
CLIENT: JUNGSTEN SECURITIES LIMITED  
www.daytanner.co.uk  
51 North Quay  
Cardiff  
CF10 1AF

DATE: 14 JUN 2012  
DRAWN: JPH  
DATE: 12956/07

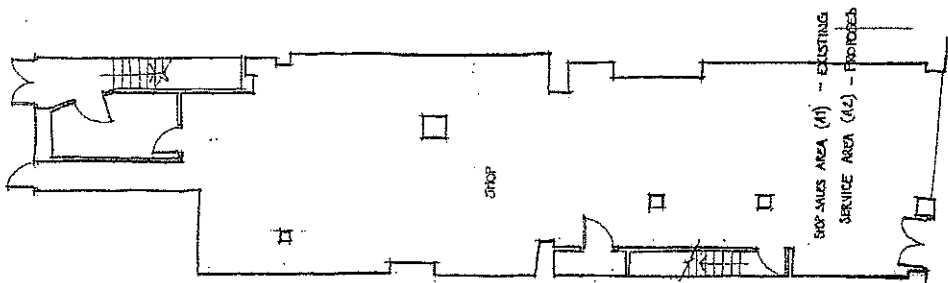
PROJECT: EXISTING AND PROPOSED PLANS  
SCALE: 1:100  
DATE: FEB 2012



SECOND FLOOR

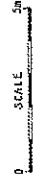


FIRST FLOOR

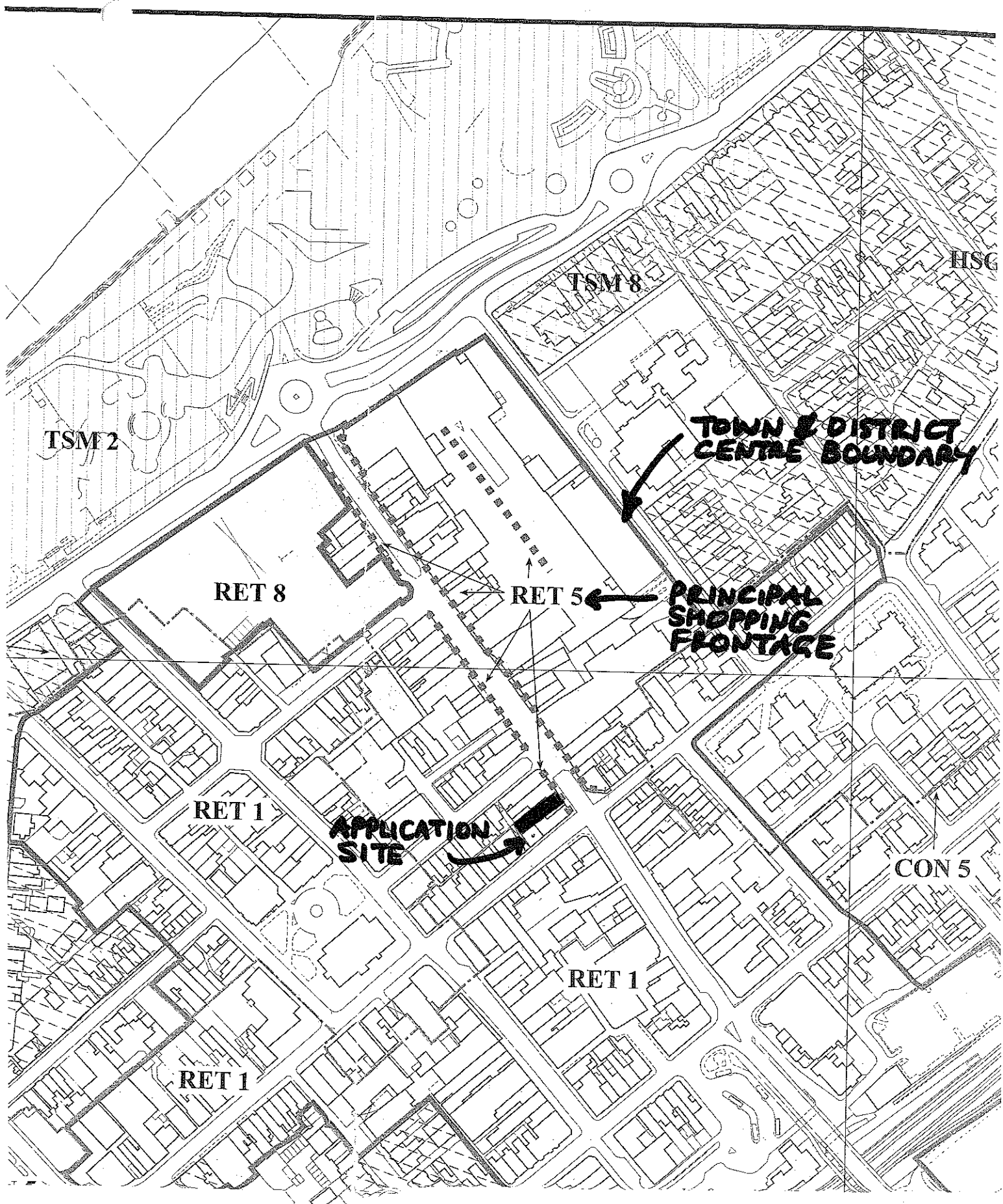


GROUND FLOOR PLAN

RECEIVED  
14 JUN 2012  
CALEDFRYN



# UNITARY PLAN PROPOSALS MAP



**ITEM NO:** 23

**WARD NO:** Rhyl West

**APPLICATION NO:** 45/2012/0716/ PF

**PROPOSAL:** Change of use from Class A1 (Shops) to Class A2 (Financial and Professional Services) with ancillary accommodation to upper floors

**LOCATION:** 60/62 High Street Rhyl

**APPLICANT:** Tungsten Securities Ltd.

**CONSTRAINTS:** C1 Flood Zone  
Town Heritage Area  
Groundwater Vulnerability 1  
EA Floodmap Zone 2  
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**

- Recommendation to grant – Town / Community Council objection

**CONSULTATION RESPONSES:**

**RHYL TOWN COUNCIL**

"Objection on grounds of;

- Loss of an A1 shop from the High Street.
- The application is considered to be contrary to the objectives of the Rhyl Going Forward Strategy."

**ENVIRONMENT AGENCY WALES-**

No objection.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES**

**CONSERVATION OFFICER- RHYL TOWNSCAPE HERITAGE INITIATIVE OFFICER**

No objection to principle of development, however stresses that any signage would require consent.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Mr B J Williams, 35 Plas Emlyn, Rhyl.

Summary of planning based representations:

Concerns over change to A2 use and potential for use as a Licensed Betting Office. Objector believes Rhyl has an oversupply of these uses (9 existing).

**EXPIRY DATE OF APPLICATION: 08/08/12**

**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) at 60/62 High Street in Rhyl.

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 storage on the first and second floors.

1.2 Description of site and surroundings

1.2.1 The property is located on the western side of High Street, in the block of units between Wellington Road and Market Street. It is currently vacant.

1.2.2 The site is surrounded by a mixture of mainly retail uses, with a computer game shop to the south and a health food shop to the north.

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. It is also within the Principal Shopping Frontage as defined on the proposals map, subject to Policy RET 5.

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 None.

1.5 Other relevant background information

1.5.1 An application has also been submitted for a new shop front on the unit. The Agent is in negotiations with Officers over the detail of this proposal.

**2. DETAILS OF PLANNING HISTORY:**

2.1 No recent planning history. The last application for change of use was from a bakery and café to an A1 use 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 REC 5 - Principal Shopping Frontages in Town Centres: Non A1 Uses

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  
Planning Policy Wales, Edition 4

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 visual amenity/conservation area
- 4.1.3 Impact on residential 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. Policies RET 1, RET 5 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 5 relates to principal shopping frontages within Town Centres and non A1 uses. This policy permits changes of use from A1 to non A1 uses in principal shopping frontages, which would not lead to a clustering or concentration of non A1 uses and would not impact on the retail character or viability of the town centre. Changes of use are permitted where they do not create a continuous frontage of three or more non A1 uses or no more than one in three non A1 uses in the principal shopping frontage. 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 is a mix of uses on the High Street. In this block the existing use of the 4 units are A1 uses. In the principal shopping frontage there 34 A1 uses, 2 A2 uses, and 3 A3 uses (this figure includes vacant units).

The comments from Rhyl Town Council over the loss of an A1 shop are noted. The Town Council is raising concerns which were reflected by Planning Committee, on more than one occasion in the last year, most recently in April Planning Committee refused to permit a change of use to A2 at No. 4 Wellington Road. Whilst officers fully respect the concerns over whether permitting loss of A1 uses is appropriate in an area where there has been substantial investment in regeneration and infrastructure, 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 and the trigger points for policy RET 5 would not be met with this change of use, so the proposal would be compliant with that policy.

4.2.2 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.

Officers consider that the proposal accords with policy CON 5.

4.2.3 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:

- 5.1 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.

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.

### **NOTES TO APPLICANT:**

You are advised that this permission permits the change of use only. Any alterations to the shopfront or installation of signage will require the consent of the Local Planning Authority.