



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

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Heading:  
45/2012/1634  
127/129 High Street  
Rhyl



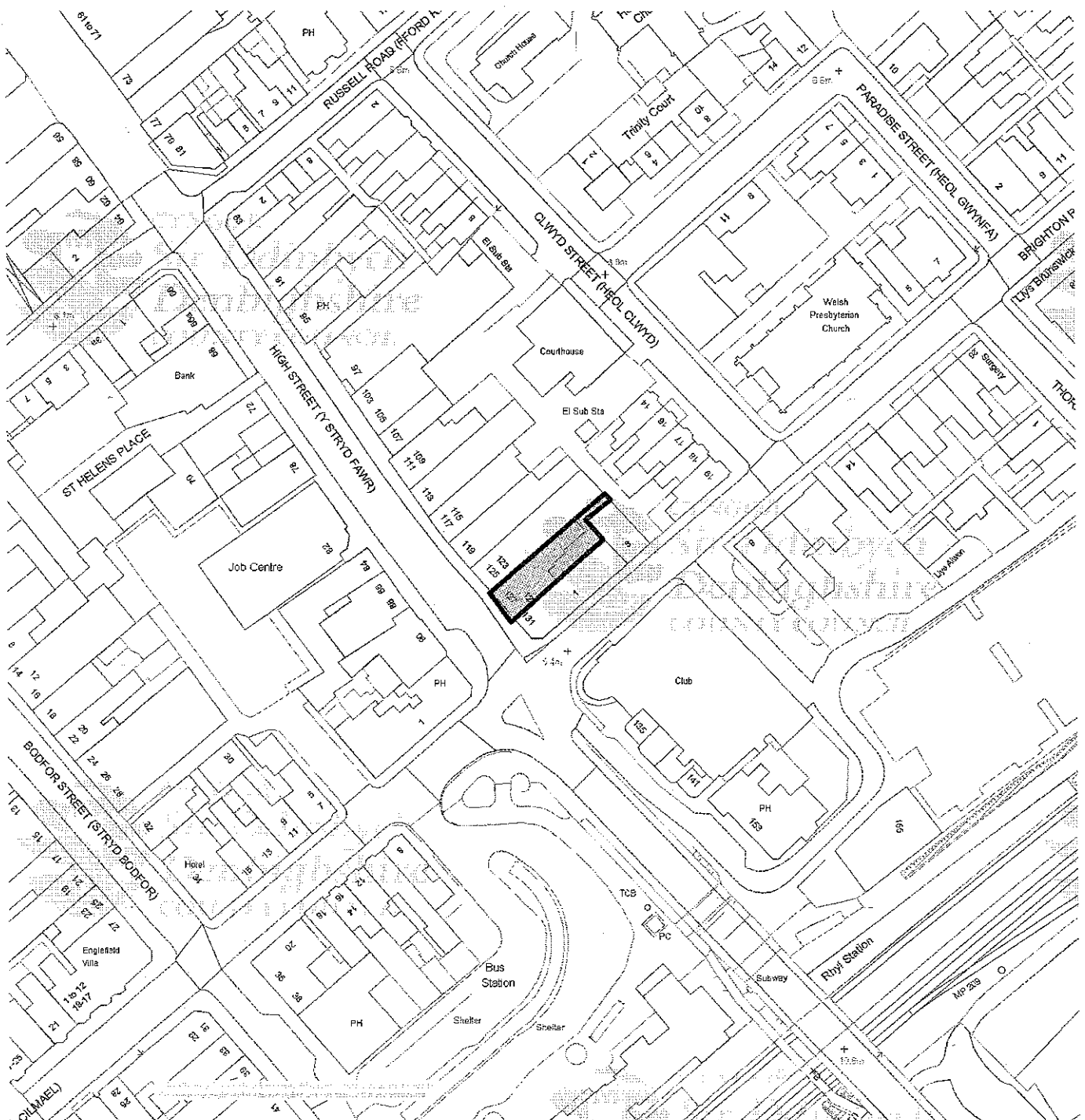
Application Site



Date 7/3/2013  
Centre = 300944 E 381355 N

Scale 1/1250

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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# SHOP FRONT DETAILS

## PREVIOUS FRONT

RECEIVED  
21 DEC 2012  
CALENDER



FRONT ELEVATION (EXISTING) 1:100  
DA1

# AS INSTALLED

RECEIVED  
21 DEC 2012  
CALENDER



FRONT ELEVATION (PROPOSED) 1:100 DA2

**ITEM NO:** 8  
**WARD NO:** Rhyl West  
**APPLICATION NO:** 45/2012/1634/ PC  
**PROPOSAL:** Retention of replacement shop front  
**LOCATION:** 127/129 High Street Rhyl  
**APPLICANT:** The Pipin Partnership  
**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 Development Control Manager

**CONSULTATION RESPONSES:**

RHYL TOWN COUNCIL  
"No objection".

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES -  
CONSERVATION OFFICER / THI MANAGER

Objection, retention of UPVC shopfront should not be supported on a temporary or permanent basis.

**RESPONSE TO PUBLICITY:**

None

**EXPIRY DATE OF APPLICATION: 28/02/13**

**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 retention of a replacement shopfront at 129 High Street in Rhyl. The shopfront was installed in February 2012.

- 1.1.2 The frame of the shopfront is UPVC material. The design is a brown wood grain effect which attempts to mirror traditional features by using vertical emphasis with mullions, and small panes above transom level. The details are shown at the front of the report.

## 1.2 Description of site and surroundings

- 1.2.1 Number 129 High Street is a three storey building located towards the southern end of the terrace making up the block of buildings on the eastern side of the High Street, between Russell Road and Brighton Road.
- 1.2.2 The ground floor comprises of a vacant A1 retail unit.
- 1.2.3 The site is surrounded by a mixture of mainly retail uses with a variety of advertising signage.

## 1.3 Relevant planning constraints/ consideration

- 1.3.1 The site lies within the development boundary of Rhyl and within a Designated Town and District Centre in the Unitary Development Plan RET 1.
- 1.3.2 The site lies within the Rhyl Conservation Area, where policies CON 4 and CON 5 of the Unitary Plan apply, both seeking to ensure proposals preserve or enhance the character of the area.

## 1.4 Relevant planning history

- 1.4.1 Planning permission to refurbish the building (no's 123 and 125) to their original Victorian style was granted in May 2008; under reference 45/2008/0296/PF. This application included details of timber replacement shopfronts for both premises which were considered to be acceptable in the context of the building's value to the Conservation Area as set out in the Character Appraisal of the extended Rhyl Central Conservation Area by an independent conservation specialist, and as acknowledged in the DAS for the current application. A condition attached to this planning permission required the applicant to submit full details of *'windows, doors, shop fronts and dormer windows'* for approval prior to any development taking place.
- 1.4.2 The Agent has advised that the previous aluminium shopfront was dilapidated. As the unit has been vacant for some time, he is of the opinion that the quality and appearance of the shopfront was attributable to this. The DAS refers to a number of retail units on the High Street that have been altered and changed to non traditional materials.

## 1.5 Developments/changes since the original submission

- 1.5.1 The Agent has requested consideration be given to the retention of the shopfront on a temporary basis, i.e. for 3 years to allow the applicant to seek a tenant and gain some income from the building.

## 1.6 Other relevant background information

- 1.6.1 None.

## 2. **DETAILS OF PLANNING HISTORY:**

- 2.1 45/2008/0296/PF Reinstatement of Victorian-style to the building including construction of new slate roof, installation of timber sash windows, reinstatement of original bay windows and installation of new timber fronts. Construction of Mansard roof over No. 3 Brighton Road, formation of metal dormers and replacement of rear brick wall and gates. Granted 06/05/2008

### 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

#### 3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)

Policy GEN 6 Development Control Requirements

Policy CON 4 Indigenous building materials

Policy CON 5 Conservation Areas

#### 3.2 Supplementary Planning Guidance

SPG No. 12 - Shop Fronts

SPG No. 13 - Conservation Areas

#### 3.3 GOVERNMENT GUIDANCE

Planning Policy Wales, Edition 5

Welsh Office Circular 61/96 - Planning and The Historic Environment

### 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 Request for a temporary permission

#### 4.2 In relation to the main planning considerations:

##### 4.2.1 Principle

Policy GEN 6 contains a wide range of general development control amenity considerations geared at ensuring a high standard of development with minimal impacts.

The application site is located within a Conservation Area, the Unitary Plan's main policies obliging consideration of impact on visual amenity and the character of a Conservation Area is CON 5. Within Conservation Areas, special attention should be paid to preserving and enhancing the character and appearance of the area.

Guidance in SPG No. 12 Shopfronts states that shopfronts make a very important contribution to the overall character of town and district centres. The broad thrust of the SPG is to ensure well designed shop fronts to match local circumstances and suggest care should be taken in choosing materials as traditional shopfronts were constructed of softwood and painted.

Guidance on SPG No. 13 Conservation Areas aims to maintain, enhance and improve the quality of Denbighshire's historic environment.

##### 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. Policy CON 4 refers to the use of indigenous materials in the Conservation Area, hence the preference is for use of timber not UPVC.

As noted, this application proposes the retention of a woodgrain effect upvc shopfront. There are objections from the Conservation Officer who considers that the design is otherwise bland and false, the small panes are divided by applied 'lead comes', it is grained timber effect UPVC, has a no stallriser or framing in the form of pilasters, and therefore the level of period detail required has not been provided. It is also suggested that the marine environment in Rhyl can be particularly harsh to UPVC, which has a shorter life than well-maintained timber; the grain effect is usually provided by an applied finish which can break down in a relatively short period, and the

shopfront could deteriorate quite quickly, hence UPVC is not considered a sustainable solution.

The Agent has made the case for the retention of the shopfront by referring to a range of other shopfronts on the High Street. However the Conservation Officers consider this point to be largely irrelevant, as most of the shop fronts referred to were installed prior to the Conservation Area designation. The exception is no. 76, where the main construction of the shopfront is timber (application ref. 45/2009/0094) although the frame and door are aluminium with a painted/powder coated finish to match traditional appearance. No .117 has a new timber shopfront not aluminium as state, granted under ref 45/2010/1178 in December 2010.

As detailed above, the aim of the policies and guidance relating to Conservation Areas and shopfronts is to ensure development is appropriate for the building and area in which they are located. It is considered the proposals do not respect the basis of the relevant policy, or the context in which the site is located. Therefore the visual impact of the proposal is considered a negative factor in the weighing of the application and would be contrary to planning policy CON 5.

#### 4.2.3 Temporary Permission

The Agent has requested consideration be given to the possibility of granting a temporary permission for the development. With the suggestion for a 3 year permission to allow opportunity to generate funds, presumably to replace the shopfront with a more traditionally detailed alternative at that point.

Officers consider this to be a difficult proposal on which to advise Members on the most appropriate course of action. The Conservation Officer's views are adamant in rejecting the approach adopted by the owner and the idea of a 'temporary' permission to retain the UPVC front in a Conservation area. In most cases, Officers would take a similar view given the quality of the shopfront detailing. However, there are other considerations to be taken into account in reaching a decision, not least of which is the fact that the shop has been vacant for some years, and attempts to facilitate a scheme for the whole building through the Townscape Heritage Initiative have come to nothing. The current owner has replaced what was a dilapidated front with the new one in order to attract a tenant, with no interest to date; and he has indicated that if he is forced into replacing the new front, there is a prospect this would simply be boarded up, adding to the extent of vacant and dilapidated premises in the main shopping street.

### 5. SUMMARY AND CONCLUSIONS:

- 5.1 Having regard to the issues, Officers would feel it is important to adhere to sound Conservation principles in the approach to replacing shop fronts in Conservation areas, and suggest this is an instance where the grant of a temporary permission is not a preferred option.

### RECOMMENDATION: REFUSE – for the following reason:-

1. It is the opinion of the Local Planning Authority that the shopfront, due to the design and materials, has an unacceptable impact on the visual amenity of the building and the area and on the character and appearance of the Conservation Area, contrary to Policies CON 4, and CON 5 of the Denbighshire Unitary Development Plan, Supplementary Planning Guidance Notes 13, (Conservation Area), 12 (Shop fronts), and Welsh Office Circular 61/96 - Planning and The Historic Environment.

**NOTES TO APPLICANT: None**