



Heading:

43/2013/0181
 19 King's Avenue
 Prestatyn

13

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Application Site

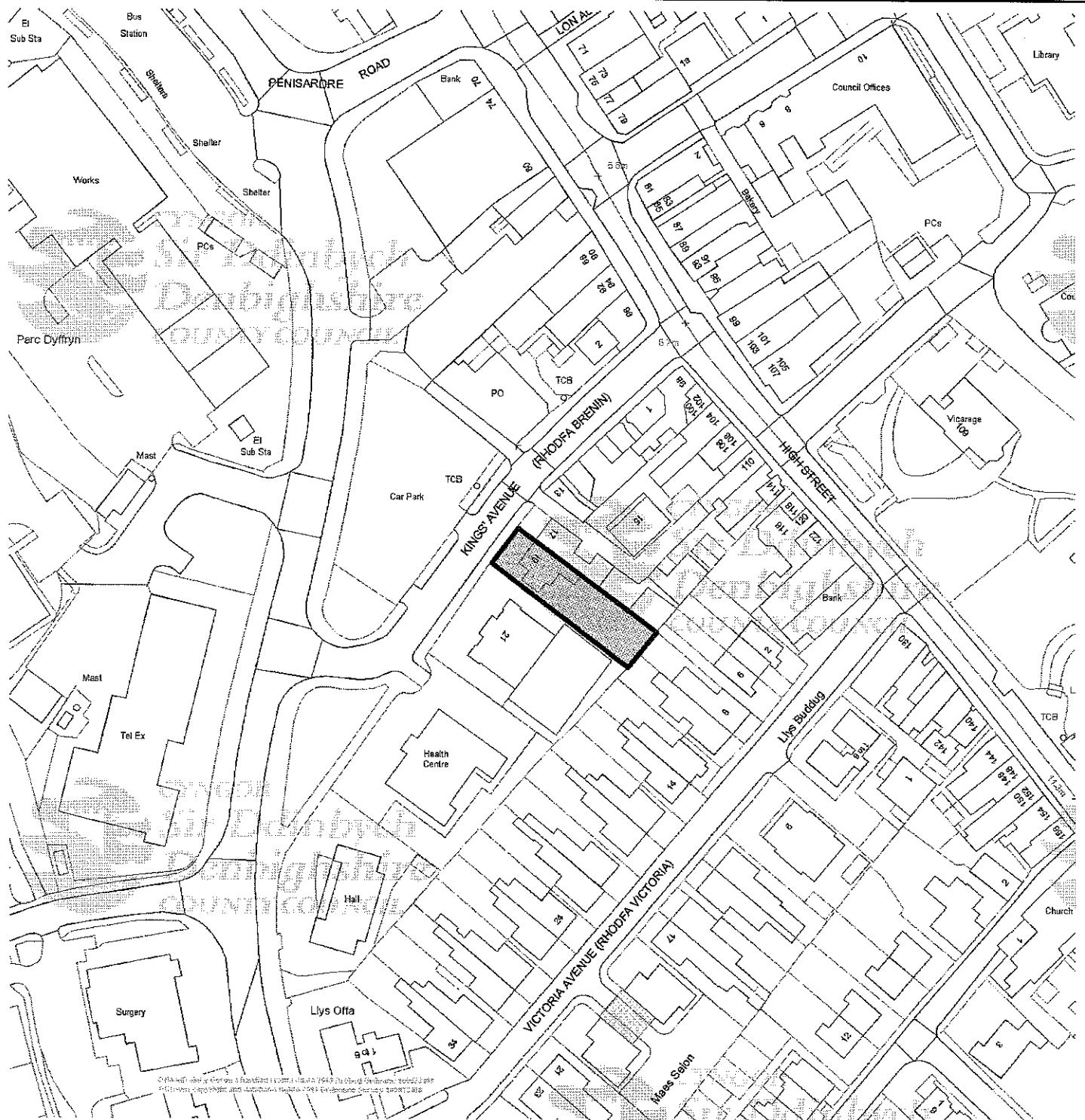


Date 3/4/2013

Scale 1/1250

Centre = 306568 E 382810 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.

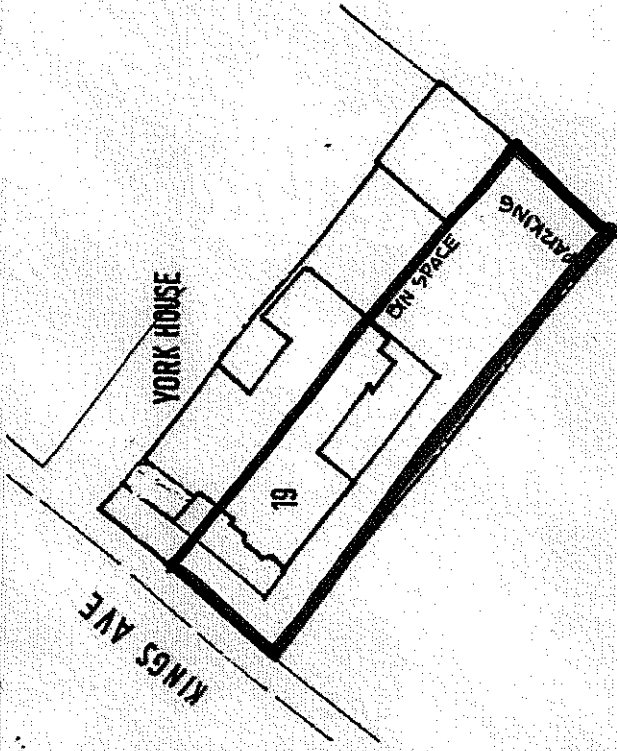


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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor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

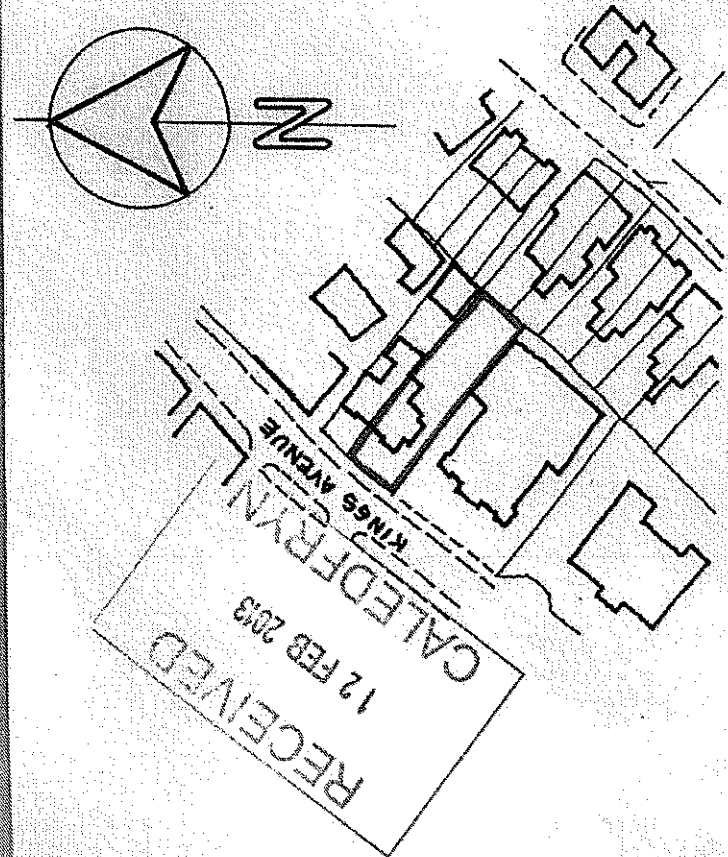
SITE PLAN

43 / 2013 / 0181 / PF



SITE PLAN

Scale: 1:500



LOCATION PLAN

Scale: 1:1250

Date: 1 FEBRUARY 2013

Drawing No: E.1237/2

Client: G K EVANS ELECTRICAL

Proposal: PROPOSED CHANGE OF USE INTO CLASS A3
GROUND FLOOR SHOP, AND FIRST/SECOND FLOOR
SELF-CONTAINED FLAT

Location: 19 KINGS AVENUE, PRESTATYN.

RECEIVED
12 FEB 2013
CALVERLY ROAD
KINGS AVENUE

PROPOSED FLOOR PLAN

43 / 2018 / 0181 / PF

RECEIVED
19 FEB 2018
CALEDFRYN

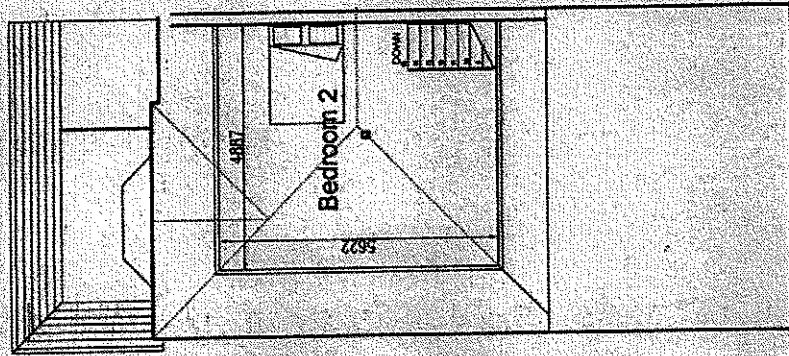
PLANSCAPE
ARCHITECTS

REGISTERED ARCHITECTS
REGISTERED ELECTRICAL ENGINEERS

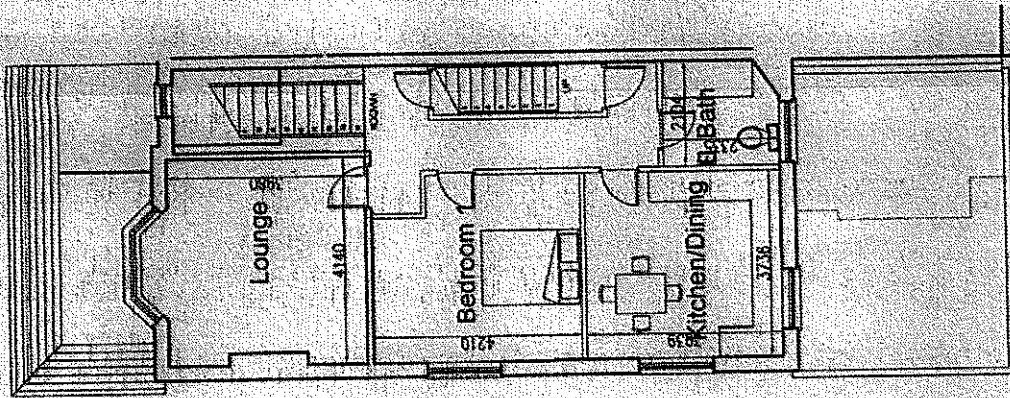
PROPOSED CHANGE OF USE TO CLASS A3
FLOOR AREA: 100.00 SQM
FLOOR AREA: 100.00 SQM

17 FEB 2018

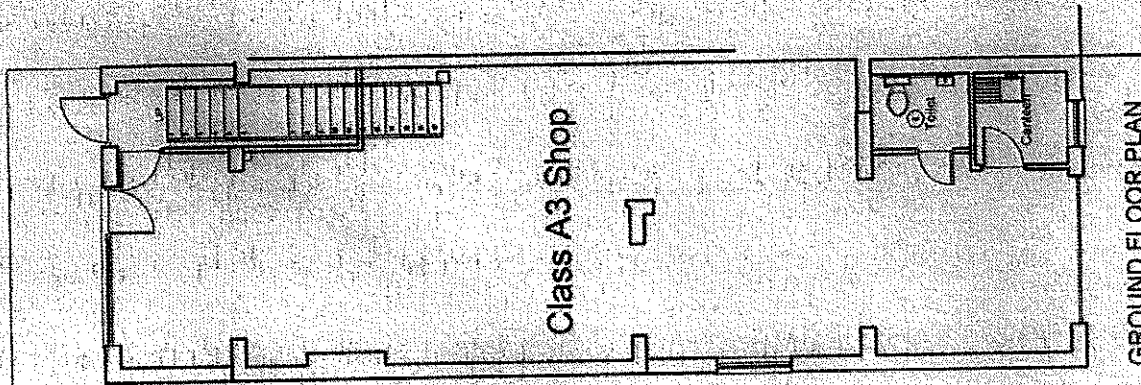
E.1237/13



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

ITEM NO: 13
WARD NO: Prestatyn Central
APPLICATION NO: 43/2013/0181/ PF
PROPOSAL: Change of use of ground floor to Class A3 use and first- & second-floors into a self-contained apartment
LOCATION: 19 Kings Avenue Prestatyn
APPLICANT: G K Evans Electrical Limited
CONSTRAINTS:
PUBLICITY Site Notice - No
UNDERTAKEN: Press Notice - No
 Neighbour letters - Yes

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

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

"Objection. Over proliferation of Class A3 premises in area."

RESPONSE TO PUBLICITY: None.

EXPIRY DATE OF APPLICATION: 15/04/2013

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 to change the use of the property on both floors from its current use as a shop with offices/storage above, to a ground floor A3 use with a self-contained two-bedroom flat above on the first and second floors.
- 1.1.2 The proposed flat would have a bedroom, lounge, bathroom and kitchen/diner on the first floor with the additional bedroom above within the roof space.
- 1.1.3 The ground floor A3 use would have a floor area of 106 sqm and the application suggests that employment for 6 full-time staff will be generated.
- 1.1.4 The hours of use proposed are not specified and the precise use within A3 has not been narrowed down to either a café/restaurant, drinking establishment or a hot food take away. However, in discussions with the agent it has been indicated that the applicant would accept a restriction on the

A3 type of use if considered necessary.

- 1.1.5 No external works are involved in the change of use and the parking area to the rear will remain for the two uses along with an area for refuse facilities.

1.2 Description of site and surroundings

- 1.2.1 The property is currently in use as an electrical component shop with ancillary offices and storage above and a yard/parking area to the rear accessed to the side of the property.
- 1.2.2 The adjacent building at no. 17 is in use as an employment agency, with uses to the north including a café, a hot food take away and retail uses. The block of apartments at no. 21 is nearing completion to the south of the site, and a public car park lies opposite across Kings Avenue to the north.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the defined Town and District centre of Prestatyn but is not within a Principal Shopping Frontage or within the Conservation Area.

1.4 Relevant planning history

- 1.4.1 The property was originally sub-divided into commercial uses in 1985 but no further applications of relevance have been submitted since then.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The agent has indicated that the occupiers of the ground floor for the unit will be relocating to larger premises shortly and therefore to widen the appeal of the site in marketing terms given the current economic climate the change of use has been submitted.

2. DETAILS OF PLANNING HISTORY:

- 2.1 85/311 – Division of residential property into ground and first floor separate uses:
Granted 12 September 1985.

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 RET 1 Town and District Centres
- Policy RET 6 Town and District Centres: Non A1 Uses
- Policy RET 15 Upper Floors of Commercial Premises
- Policy RET 16 Food and Drink – Hot Food Take-Aways
- Policy HSG 13 Sub-division of Existing Premises to Self-Contained Flats

3.2 Supplementary Planning Guidance

- SPG 7 Residential Space Standards
- SPG 11 Hot Food Take Aways

3.3 GOVERNMENT POLICY / GUIDANCE

- Planning Policy Wales Edition 5 November 2012
- Technical Advice Notes
- Circulars

4. MAIN PLANNING CONSIDERATIONS:

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

- 4.1.1 Principle

- 4.1.2 Vitality and Viability of the Town Centre
- 4.1.3 Highways impact
- 4.1.4 Residential Amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle

As the site lies within the defined Town and District centre, the change of use sought for both the ground and upper floors is acceptable in principle under Policies RET 1 and HSG 13. RET 1 accepts Town and District Centres are the main location for a range of uses including those in Use Class A3.

Policy RET 16 allows for A3 uses in town centres where it does not result in a clustering of such uses, would not cause an unacceptable impact on residential amenity and is acceptable in respect of highways. The localised impacts are revised in the following paragraphs.

4.2.2 Vitality and Viability of the Town Centre

Policy RET 6 allows for the change of use of premises from A1 use to other uses provided that the proposal maintains, enhances and improves the viability and vitality of the centre and is of a scale, type and design which is in keeping with the surrounding area.

The subject property stands at the western fringe of the defined Town and District centre and is the last property on Kings Avenue to fall within the designation. This type of peripheral location can often mean that a traditional A1 use is difficult to maintain unlike other uses such as A3 uses which can attract a wider footfall. Whilst there is a café and a hot food take away toward the main High Street, there are other retail and commercial uses in the locality. It is not considered, with respect to the Town Council's concerns, that the change of use applied for would be contrary to Policy RET 16, or that there would be an over proliferation of A3 uses as a consequence, and it is therefore appropriate in order to assist the viability and vitality of the town centre to permit the A3 use.

4.2.3 Highways

Highways considerations are contained in Policy TRA 6 and 9 of the Unitary Development Plan. Whilst no comments have been received from the Highway Officer at the time of drafting this report, it is considered that the on-site parking to the rear coupled with the car park opposite and the fact that the site lies in the town centre combine to ensure that no unacceptable highways issues are raised by the scheme.

4.2.4 Residential Amenity

Policy GEN 6 obliges due consideration of the impact of development on the amenities of occupiers of properties in the locality.

Given that the scheme proposes the upper floors to be used as a flat, it is considered that the use of the ground floor for a drinking establishment or a hot food take away could give rise to levels of noise and disturbance to future occupiers and it would be prudent to suggest a condition limiting the use to a café/restaurant only. The use of the upper floor as a flat is in line with Policies RET 15 and HSG 13 as well as the space standards set out in SPG 7.

4.3 Other matters

None.

5. SUMMARY AND CONCLUSIONS:

5.1 The application is considered to involve an appropriate use for the ground and upper floors of the property and is recommended to be granted.

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. Prior to the commencement of the use of the premises, equipment for the treatment and extraction of fumes and smells resulting from the preparation and cooking of food shall be installed in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. Following its installation, the equipment shall be operated whenever preparation and/or cooking of food is taking place.
3. The premises shall not be open to customers other than between 0900 - 2300 each day .
4. The ground floor of the premises shall be used solely as a restaurant under the Use Class A3 of the Town and Country Planning (Use Classes) Order 1987, and for no other uses within that Class.
5. The car parking area shown on the approved plan shall be kept available for that purpose at all times.

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 amenity.
3. In the interests of the amenity of occupiers of nearby residential property.
4. To enable the Local Planning Authority to control the use in the interests of neighbour amenity.
5. In order that adequate parking facilities are available within the curtilage of the site.

NOTES TO APPLICANT: None