



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

Heading:

45/2013/0566  
 Former Thorpe Engineering  
 Ffordd Derwen, Rhyl

6

Graham Boase  
 Head of Planning & Public Protection  
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 Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709



Application Site



Date 11/7/2013

Scale 1/2500

Centre = 301371 E 380557 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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Application Site

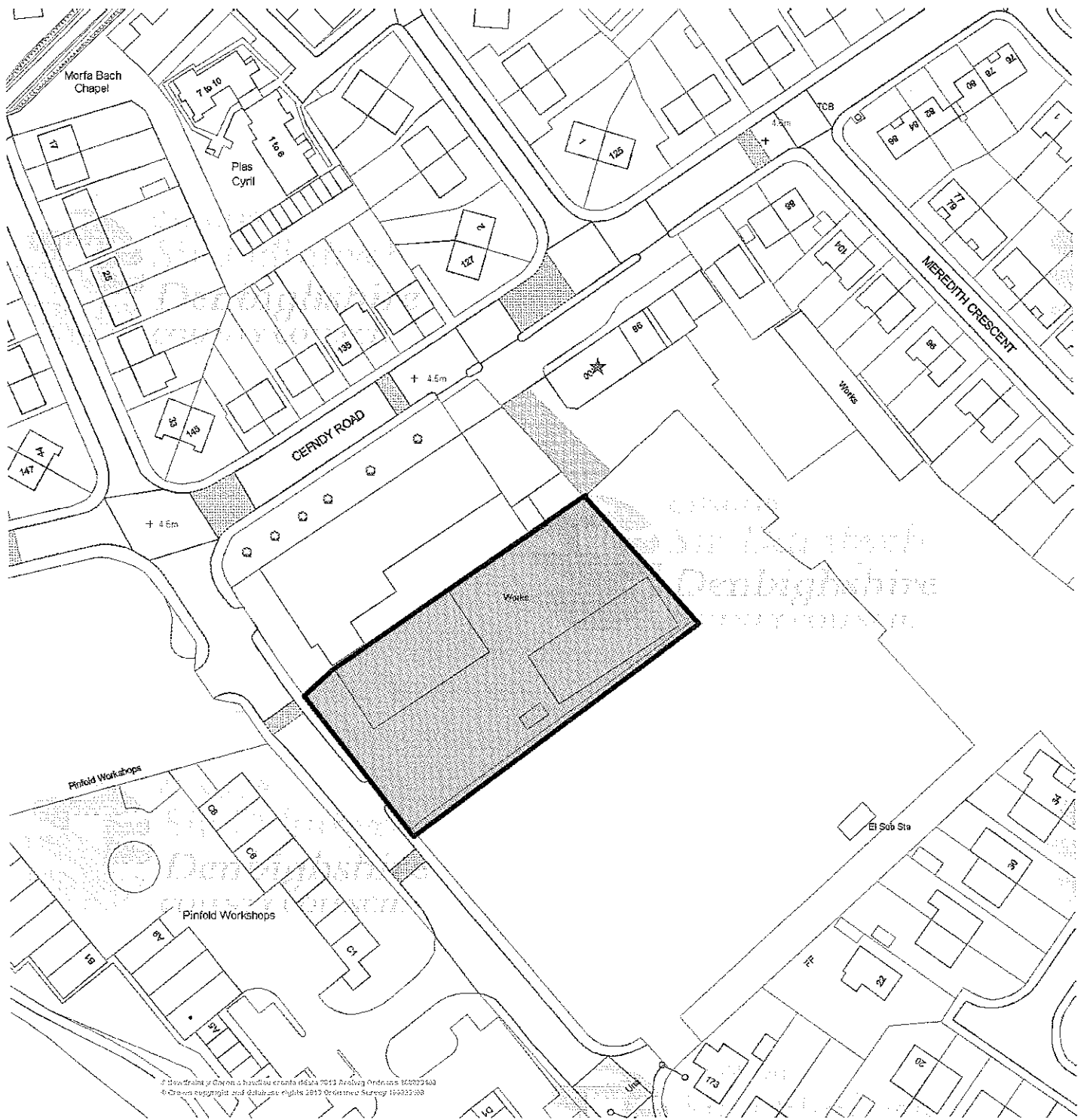


Date 11/7/2013

Scale 1/1250

Centre = 301371 E 380557 N

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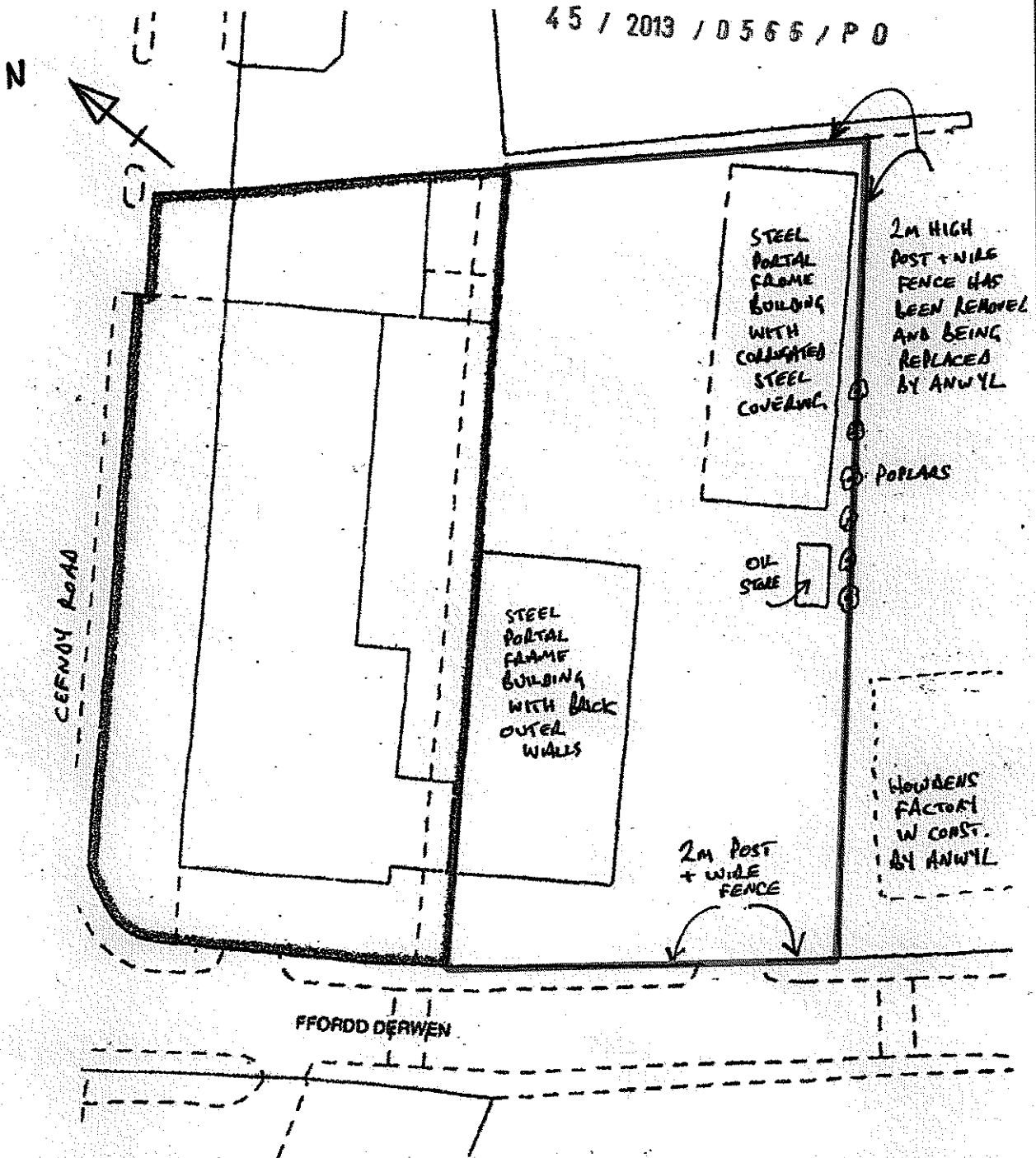


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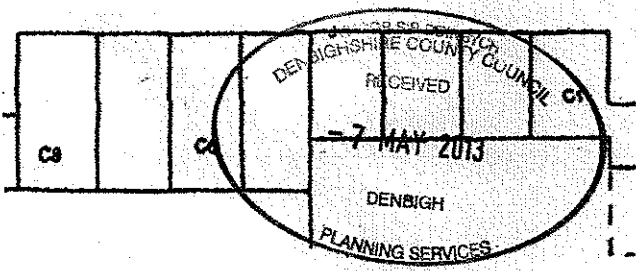
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# EXISTING SITE PLAN

45 / 2013 / 0566 / P 0

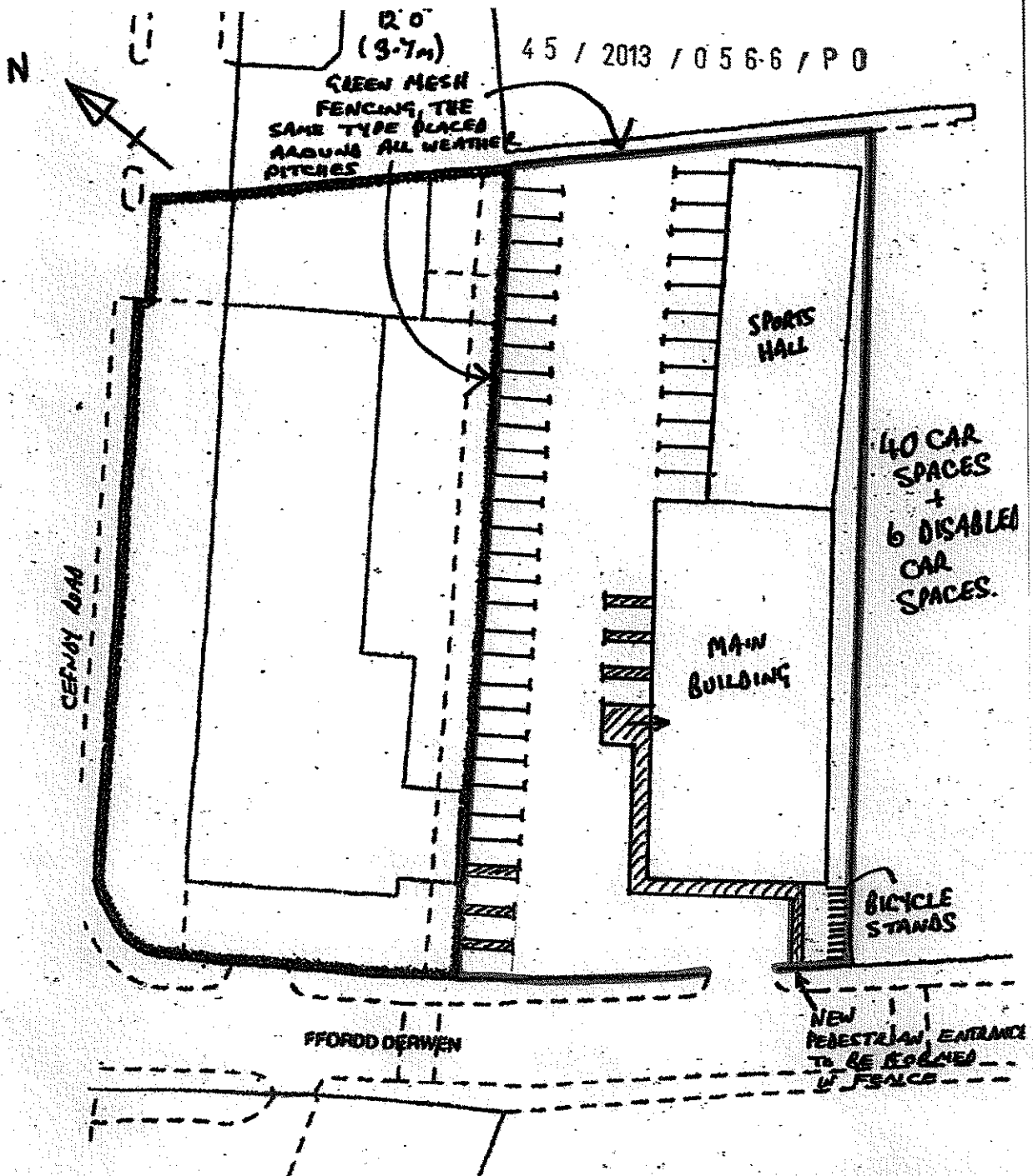


**Site Plan**  
 [As existing]  
 Former Thorpe's Engineering & Design  
 Ffordd Derwen  
 Rhyl  
 LL18 2HE  
 [Ordnance Survey Reference SJ013805]  
 Plan No. 002  
 22nd April 2013  
 Scale 1:500

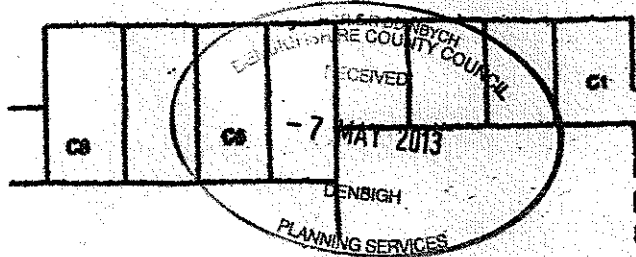


Site Plan 1:500  
 14

# PROPOSED SITE PLAN



**Site Plan**  
 [As Proposed]  
 Former Thorpe's Engineering & Design  
 Fford Derwen  
 Rhy  
 LL18 2HE  
 [Ordnance Survey Reference SJ013805]  
 Plan No. 003  
 22nd April 2013  
 Scale 1:500



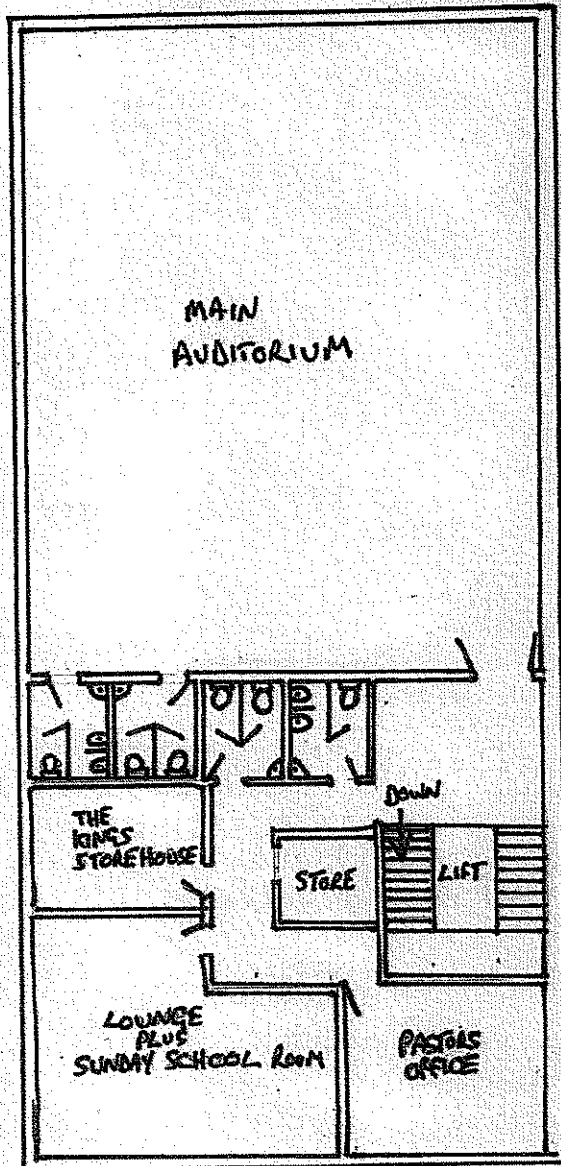
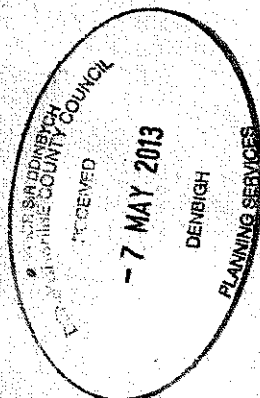
15 Site Plan 1:500

# FLOOR PLAN OF MAIN BUILDING

45 / 2013 / 0566 / P 0

ILLUSTRATIVE  
DRAWING  
ONLY

FIRE  
ESCAPE  
SITUATED  
ON THIS  
WALL



17

FIRST FLOOR

SES

**ITEM NO:** 6

**WARD NO:** Rhyl South West  
**WARD MEMBERS** Councillors Pat Jones/Margaret McCarroll

**APPLICATION NO:** 45/2013/0566/ PO

**PROPOSAL:** Development of 0.29ha of land by the demolition of redundant factory unit and construction of a church and community centre to include church coffee shop, sports hall, day centre for the elderly and children's youth facility (outline application including access and layout)

**LOCATION:** Former Thorpe Engineering and Design Site Ffordd Derwen Rhyl

**APPLICANT:** Rev. Mike Bettaney

**CONSTRAINTS:** C1 Flood Zone

**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  
"No objection"

**NATURAL RESOURCES WALES**

Flooding/Land drainage/Water supply

No objection subject to the inclusion of conditions relating to safe routes being provided, minimum floor levels set, flood resilient measures being incorporated and there is no overnight occupation of the site.

**DWR CYMRU WELSH WATER**

No objection subject to the inclusion of conditions restricting land drainage and surface water drainage connections to the public sewer

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Transport and Infrastructure

- Highways Officer

No objection subject to the inclusion of a condition requiring retention of parking and turning facilities within the site.

**Economic Regeneration**

Object. The proposal would result in the loss of employment buildings with no wider economic benefit.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Gavin Pitt, Kwikweld, Rhyl  
P. Evans, Travis Perkins, Ffordd Derwen, Rhyl  
I. Jones, Just Finished Ltd., Ffordd Derwen, Rhyl C. Openshaw, T/A Signworld, Unit  
16, Cefndy Road, Rhyl  
PLP Planning, on behalf of Mr. D. Parry (Owner of Lock and Stock it, Cefndy Road,  
Rhyl)

Summary of planning based representations in objection:

Principle of the proposal

The site should remain in employment use; there is a lack of employment land in the area; the site is a designated employment site in the LDP and the proposal is therefore contrary to policy; the loss of the building and proposed use would severely compromise the ability and desire of the neighbouring business to expand; concerns over A3 use; questions over the robustness of the information submitted; no impartial or independently verified evidence has been provided.

Impact on the amenity of the area

A church does not fit in with surrounding land uses, being surrounded by industrial/manufacturing units;

In Support

D. Hannam, 4, Ffordd Las, Rhyl

Summary of planning based representations in support:

General comments

Churches play a major role in Community life; Rhyl has seen a steady proliferation of housing with no leisure or community facilities such as churches; the Church will fill the unmet needs of the local community, enhanced further by the proximity of the beautiful Brickfields Pond close by

**EXPIRY DATE OF APPLICATION: 1/7/2013**

**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 is in outline form for the development of 0.29ha of land involving the demolition of a redundant factory unit and construction of a church and community centre, to include a church coffee shop, sports hall, day centre for the elderly, and children's youth facility (a Class D1 use). Matters included for approval within the outline application are the access to the site and layout of the building(s).
- 1.1.2 It is proposed to demolish the existing brick building located at the front of the site and to erect a new building, to be attached to the existing building which is towards to the rear of the site. The illustrative information shows the existing building to be used as a sports hall with the proposed building to be a modern 2 storey building providing a main auditorium, Sunday school room, church coffee shop, youth lounge, day centre and parent and toddler space along with office, storage, kitchen and WC facilities.

1.1.3 Access to the site would be gained by utilising the existing access, with a pedestrian access formed adjacent to the vehicular access. The application indicates the provision of 46 car parking spaces (including 6 disabled car spaces) within the site. The basic layout and plans are attached at the front of the report.

1.1.4 As part of the planning application the following information has been submitted:

\* Design & Access Statement (DAS) including a Water Conservation Statement and Community and Linguistic Statement.

\* Information on Flood Consequences issues.

\* Supporting information relating to the background of the Church, their aspirations and attempts to find an alternative site.

~

1.1.5 The new facility would be for the Wellspring Christian Centre who are currently sited on Vale Road in Rhyl. The background material explains the reasons the existing premises are too small and restrictive for the range of services and activities run there. It outlines the proposed expansion of the community facility and the benefits for the local population, including the potential for up to 18 jobs to be created in connection with the use. The documents argue the proposals would not be in conflict with the Local Development Plan's policies.

## 1.2 Description of site and surroundings

1.2.1 At present, the site is occupied by 2. Class B1 units which have housed the former 'Thorpe Engineering & Design' business. The building located to the front of the site is an older building, of brick construction and is physically attached to the unit sited on the corner of Ffordd Derwen with Cefndd Road.

1.2.2 The site fronts Ffordd Derwen and is surrounded by existing employment units on all boundaries, with an employment park located opposite on Ffordd Derwen. To the south eastern boundary, employment units are currently under construction.

1.2.3 To the front of the site is a 2m high post and wire fence with other boundaries currently being open, as the fencing has been removed during construction of the neighbouring development.

## 1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Rhyl, and within a designated employment site. The site is within a C1 Floodzone as shown on the Development Advice Maps accompanying TAN 15.

## 1.4 Relevant planning history

1.4.1 None

## 1.5 Developments/changes since the original submission

1.5.1 A limited Flood Consequences Assessment has been submitted. Following the adoption of the Local Development Plan on 4<sup>th</sup> June, 2013 a revised Design & Access Statement has been submitted, including a Water Conservation Statement and a Community and Linguistic Statement, in order to acknowledge the new operative plan's policies.



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

2.1 None

## **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy RD 1 Sustainable development and good standard design

Policy RD 5 The Welsh language and the Social and Cultural fabric of communities

Policy PSE 2 Land for Employment Uses

Policy PSE 3 Protection of Employment Land and buildings

Policy VOE 6 Water Management

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance 21 Parking Standards

3.3 GOVERNMENT GUIDANCE

Planning Policy Wales Edition 5 November 2012

TAN 15: Development & Flood Risk (2004)

## **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 residential amenity

4.1.3 Impact on visual amenity

4.1.4 Highway Considerations

4.1.5 Flood Risk

4.1.6 Design and Access/Sustainability Code Considerations

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the development boundary of Rhyl where the principle of many types of development may be acceptable, subject to consideration against relevant policies.

Policy PSE 2 in the Local Development Plan relates to existing and allocated employment sites and supports Class B1 Business Use, Class B2 General Industrial and waste management facilities and Class B8 Warehousing and Distribution uses within these areas.

Policy PSE 3 in the Local Development Plan seeks to protect existing employment land or buildings. The Policy supports proposals that would result in the loss of employment provided that: there are no other suitable sites available for the development; a continuous marketing process of 1 year, alongside all practical attempts possible to retain the employment use, has demonstrated that the site or premises is no longer capable of providing an acceptable standard of accommodation for employment purposes; and finally, the loss of the site or premises would not prejudice the ability of an area to meet a range of local employment needs or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site.

The proposal involves the provision of a Class D1 church and community centre to include facilities such as a church coffee shop, sports hall, day centre for the elderly and children's youth facility. In relation to Policy PSE 2, on existing allocated employment sites, uses in Classes B1, B2 and B8 will

only be supported. The principle of a Class D1 use in this location is therefore in conflict with this policy.

Policy PSE 3 offers support for proposals that would result in the loss of employment land or buildings provided 3 policy tests are complied with. These tests are addressed as follows:

*Test 1. There are no other suitable sites available for this development.*

The applicant has submitted information relating to a number of alternative sites in Rhyl that have been explored over a period of 3 years. For various reasons, (mainly costs), the applicants indicate they have been unsuccessful in securing an alternative site. Whilst this information is duly noted, it does not provide strong evidence of a sequential search for alternative sites or that there are no suitable sites available.

*Test 2. A continuous marketing process of 1 year, alongside all practical attempts possible to retain the employment use, has demonstrated that the site or premises is no longer capable of providing an acceptable standard of accommodation for employment purposes*

The unit in question has only recently become vacant and therefore no evidence in the form of a 1 year marketing exercise has been undertaken to demonstrate the site is no longer capable of providing suitable accommodation for employment purposes. In officers' opinion, the site is clearly capable of providing an acceptable standard of accommodation for employment purposes and this is reflected in the response submitted by the owner of the adjoining business confirming that they desire to acquire the site to accommodate expansion of the existing Class B2 use on the corner of Ffordd Derwen with Cefndy Road.

*Test 3. The loss of the site or premises would not prejudice the ability of an area to meet a range of local employment needs or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site.*

The Local Development Plan has only recently been adopted, with all employment allocations having been thoroughly reviewed during the Examination in Public. Therefore all employment designations are considered to be deliverable within the plan period and are based on the an up to date and robust evidence base. Denbighshire's Employment Land Review has established that there is a provision of just 1.8ha of employment land available in Rhyl. Coupling this with high unemployment rates in parts of Rhyl, it would be difficult to justify a loss of employment land close to an area in great need of employment opportunities.

The proposal is for a community facility, and whilst the provision of such facilities is to be encouraged, and will offer some employment opportunities, it is not considered this justifies the loss of land/buildings within allocated employment sites. Furthermore, the proposal does not involve the relocation of a non-conforming use from an unsuitable site.

Policies PSE 2 and PSE 3 within the adopted Local Development Plan seek to protect existing employment uses and it is considered the proposal fails to meet the basic tests of Policy PSE 3.

#### 4.2.2 Impact on residential amenity

Policy RD 1 sets specific tests to be applied to amenity impacts of development. Development should not unacceptably affect the amenity of local residents, other land and property users or characteristics of the locality by virtue of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution and provides satisfactory amenity standards itself.

The site is located away from existing residential properties, with employment units/uses located on all boundaries of the site. In light of the existing use of the site for employment purposes and the distance from residential properties, it is not considered that the use would have any adverse impact on residential amenity.

#### 4.2.3 Impact on visual amenity

Policy RD 1 sets specific tests to be applied in assessing the visual impacts of development. Development should respect the site and surroundings in terms of siting, layout, scale, form, character, materials, aspect, micro climate and intensity of use of land/buildings and spaces around and between buildings.

The application is in outline form with only access and layout included for approval. The layout of the site shows the demolition of the existing unit to the front of the site and the erection of a 2 storey building attached to the remaining single storey building located to the rear of the site, providing parking spaces along the whole northern boundary and in front of the existing building.

In terms of the layout, the proposal is considered acceptable in relation to Policy RD 1.

#### 4.2.4 Highway Considerations

Policy RD 1 requires consideration of access and highway safety issues.

The proposal is to utilise the existing access to the site, and formation of a pedestrian access to the south of the access. It is proposed to provide 46 car parking spaces in total.

The Highways Officer has assessed the submission and has raised no objection to the proposal, subject to the parking and turning facilities proposed being retained within the site. SPG 21 requires a maximum of 1 space per 30 sq m gross floor space. Based on the total proposed floor space of approximately 1490sq m, this would equate to 49 spaces. The proposal is for 46 spaces which based on the location of the site within a settlement with good bus links, is considered acceptable. Bicycle stands are also proposed within the site.

There are no objections to the proposal on highway grounds.

#### 4.2.5 Flood Risk

Policy RD 1 requires assessment of the physical or natural environmental considerations relating to land stability, drainage and liability to flooding, water supply and water management. TAN 15 guides development in respect of vulnerability and the degrees of flood risk.

There is limited information on flood consequence issues with the application. This concludes that subject to suitable mitigation measures with the detailing, the development should be acceptable.

The Water Conservation Statement refers to a number of water conservation measures that would be incorporated within the proposal.

The site is located within a C1 flood zone, the existing use being in the low vulnerability category and the proposed use being considered a 'highly

vulnerable' use. The application has been considered by Natural Resources Wales. The flood risks in this area are reasonably well understood and the proposed mitigation measures are likely to afford some protection from flooding. Natural Resources Wales have raised no objection subject to the inclusion of conditions relating to the identification and provision of safe route(s) into and out of the site to an appropriate safe haven; ensuring finished floor levels are set no lower than 6.35m above Ordnance Datum for the "new build" element of the proposed development and no lower than 5.55m AOD for the building which is to be retained; incorporating flood resilient measures within the development, including the use of mass concrete solid flooring, the raising of electrical services and the incorporation of anti-return valves on drainage systems; precluding no overnight human occupation of the site and requiring the occupants of the development to sign up for the Flood Warning Service available for this area of Rhyl, and prohibiting the raising of external yard levels.

In Officers' opinion, on the basis of the above assessment and mitigation, there are no flooding grounds to justify a refusal, subject to the inclusion of planning conditions.

#### 4.2.6 Design and Access/Sustainability Code Considerations

Guidance in TAN 12 Design and TAN 22 Sustainable Buildings has introduced an obligation on applicants to demonstrate the approach to a range of design considerations, including how inclusive design and standards of environmental sustainability are to be achieved.

In the case of this submission, the application is accompanied by a Design and Access Statement and as the new building proposed is in excess of 1000sq m, states that the scheme would achieve a BREEAM minimum standard of 'Very Good' rating. A pre-assessment has not been submitted. It is considered that the implementation of the Sustainability Code standards can however be adequately addressed through a planning condition in this instance.

#### 4.3 Other matters

The applicants have not included any information in relation to the contamination of the site which may be an issue considering the existing use of the site. If planning permission is granted, a planning condition would need to be imposed requiring the necessary surveys to be undertaken and agreed with the Local Planning Authority.

### 5. **SUMMARY AND CONCLUSIONS:**

- 5.1 The report outlines a range of detailed planning policy considerations which need to be applied to the proposals.
- 5.2 In Officers' opinion, there are clear conflicts with the key policies relating to the protection of employment land and it is not considered the case is made to justify the grant of planning permission.
- 5.3 The proposal is considered unacceptable in principle and is recommended for refusal.

### **RECOMMENDATION: - REFUSE** for the following reasons:-

1. It is the opinion of the Local Planning Authority that the proposal is in direct conflict with Policies PSE 2 and PSE 3 of the Denbighshire Local Development Plan. It is not considered the submission demonstrates that there are no other suitable sites available for

the proposed use or that a continuous marketing process of 1 year has been undertaken to demonstrate that the site or premises is no longer capable of providing an acceptable standard of accommodation for employment purposes. Having regard to the policy, therefore, it is considered that the loss of the site or premises would prejudice the ability of the area to meet a range of local employment needs.

**NOTES TO APPLICANT:**

None