

Retail Kiosks

I INTRODUCTION

- 1.1 This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The Notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2 STATUS & STAGES IN PREPARATION

- 2.1 The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The Welsh Assembly Government (The Assembly) has confirmed that following public consultation and subsequent Local Planning Authority (LPAs) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Assembly determine planning applications and appeals. This Note was approved by Full Council on July 25th 2001 for use in development control. A statement of the consultation undertaken, the representations received and the Council's response to these representations is available on request.
- 2.2 These notes have been prepared in accordance with guidance contained in Planning Guidance (Wales), Planning Policy; Unitary Development Plans (Wales); Technical Advice Notes.

3 BACKGROUND

- 3.1 Kiosks are generally seen as "cheap and cheerful", unsatisfactory and undesirable forms of permanent forecourt trading development as they can result in a cluttered appearance, and are often poorly maintained to the detriment of the character and appearance of the street scene.
- 3.2 It is recognised however, that kiosks are a traditional method of seasonal retailing at sea-side resorts, with Rhyl Promenade and West Parade in particular providing a number of examples.

4 POLICY

- 4.1 There is a general presumption against the development of kiosks, although under certain circumstances new kiosks and replacement kiosks may be considered appropriate in areas used intensively at ground floor level for amusements, cafes and tourist related shops. Policy RET 17 of the Council's Unitary Development Plan provides guidance on kiosk development. The policy is set out below:

THE SITING OF NEW AND THE RETENTION OF EXISTING RETAIL KIOSKS WILL BE PERMITTED WITHIN THE ENTERTAINMENT ZONE (POLICY TSM 17) AND IN EXCEPTIONAL CIRCUMSTANCES ELSEWHERE PROVIDED THAT:

- I) THEY FORM AN INTEGRAL PART OF OTHER TOURIST ATTRACTIONS / FACILITIES
- II) THE PROPOSAL IS OF AN APPROPRIATE SCALE AND OF HIGH QUALITY IN TERMS OF SIZE, DESIGN AND USE OF MATERIALS.

The 'entertainment zone' (policy TSM 17) where kiosks are appropriate is between Queen St and Abbey St. While kiosks on Rhyl Promenade and West Parade exist outside of the area identified by Policy RET 17 and TSM 17 the policies represent a phased reduction in the areas where kiosks may be allowed, reflecting the core of the traditional family entertainment area. Wherever possible sale areas should be contained within the main building and not in the open on the forecourt or within kiosks.

Kiosks outside of the area identified by Policy RET 17 are unlikely to be acceptable unless specific justification can be presented which show exceptional circumstances.



5 GENERAL CRITERIA:

5.1 Any application for the erection or replacement of a kiosk should seek to achieve a high standard of design and development and should include as much detail as possible including the materials and colours to be used. Persons wishing to erect kiosks are advised to arrange a pre-application enquiry meeting with a Planning Officer prior to preparing drawings, and certainly before submitting an application. Prior consultation will ensure that each individual case can be commented on constructively by officers before formal submission and avoid the applicant wasting time and money.

5.2 Location

5.3 Any kiosk on the forecourt of premises should be sited to ensure that the serving hatch is sufficiently located away from the back edge of the footway so as to ensure that customers do not block the pavement. As an approximate guide this setback should be no less than 1 metre and if circumstances allow this distance should be as large as possible. This will ensure that some forecourt area is retained which should be kept free of any obstructions, such as small 'A' board advertisement signs so that customers can use the private forecourt and not the public footway. Pedestrians should then be able to move freely and safely along the footway without being forced onto the highway.

5.4 Similarly, any free standing kiosks such as on Rhyl Promenade must have regard to the need to ensure the unobstructed movement of pedestrians, cyclists, service vehicles and the emergency services.

5.5 Size and Design

5.6 The acceptable dimensions of any kiosk will be considered against the background of the space available and the size and design of any other kiosks in the surrounding area. Regard should be had to the following considerations:

- The base of the kiosk should be constructed of brick or stone. The upper section of the kiosk should be predominantly glazed in a stainless steel or anodised aluminium or hardwood frame or other approved durable framing material. It may be necessary for samples of material to be submitted for formal approval in which case this should be submitted for consideration as part of any application.
- The roof of the kiosk should be of a profile in keeping with the building and setting in which it is to be located. A flat roof kiosk is likely to be acceptable if located under the canopy of the main building.
- Fascia boards and signs should form an integral part of the application and be clearly indicated at the time of submission, in order that the visual impact of the whole structure can be assessed.
- Signage should not over dominate the structure and should be in proportion with the size of the kiosk and have regard to existing signs in the vicinity. If any signs are to be illuminated, then they may require separate Advert Consent and you are advised to discuss the need for separate Advert Consent.
- Any protection to be provided to the upper section of the kiosk by way of roller shutter or similar shutters should be detailed as part of the application. Solid roller shutters and projecting boxes housing the shutters should always be avoided.

5.7 Hours of Operation

5.8 It is often necessary to limit the opening hours of kiosks to minimise disturbance to the surrounding community and to ensure the hours do not exceed the established business hours in the vicinity. Each application will be determined on its own merits, but generally it is accepted that any permitted kiosk is likely to be located in a busy commercial/tourist area and any condition imposed restricted the hours of operation will reflect the opening hours of surrounding premises.

5.9 It is always useful if as part of any application you give an indication of your intended hours of operation.

5.10 Uses

- 5.11 Any application should clearly describe the proposed use of the kiosk. In general kiosks will be considered to be a retail shop. If it is intended to sell hot food from the kiosk then this must be clearly stated in the application.
- 5.12 If it is intended to change the use of an existing kiosk from general retail to the sale of hot food then a change of use application will be required.

5.13 Building Regulations

- 5.14 Applicants are reminded that a separate application for consent under the Building Regulations is also likely to be required.

5.15 Public Health

- 5.16 All kiosks will be required to comply with the current Public Health legislation and other licensing requirements.



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