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43/2016/0432/PF

Scale: 1:1250

Printed on: 25/11/2016 at 13:32 PM

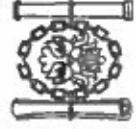


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SITE PLAN

ONE DESIGN

ARCHITECTURAL SERVICES



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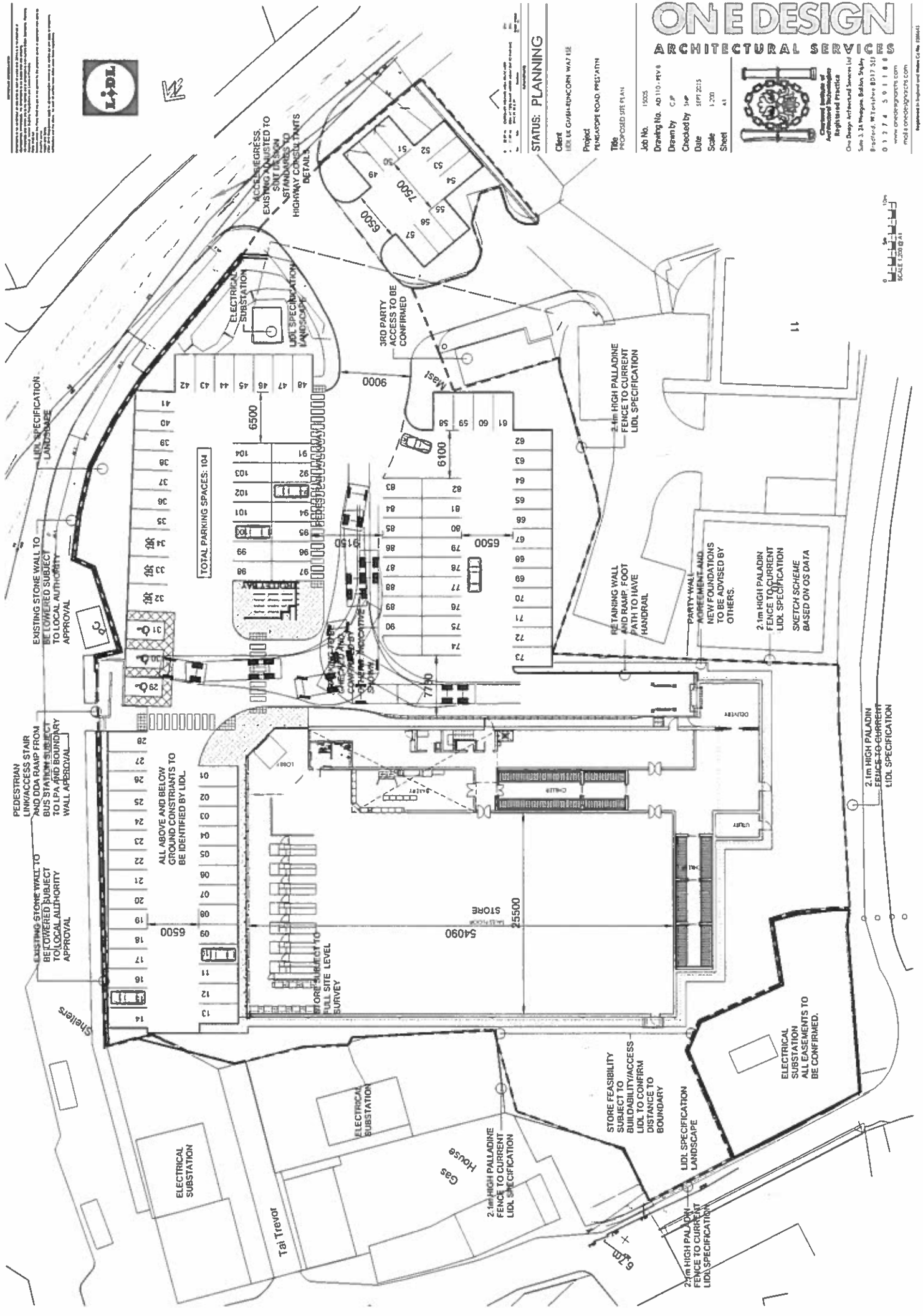
STATUS: PLANNING

Client
 LIDL UK GUMMINGCORN WAY US

Project
 PENKESDALE ROAD, PRESTON

Title
 PROPOSED SITE PLAN

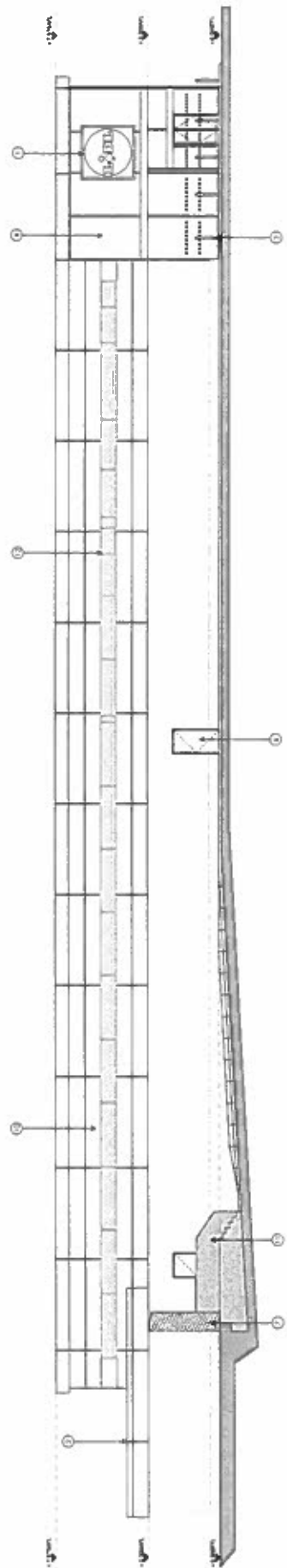
Job No. 15005
Drawing No. AD 110 - RV 4
Drawn by CJP
Checked by SWP
Date 14TH 2015
Scale 1:200
Sheet A1



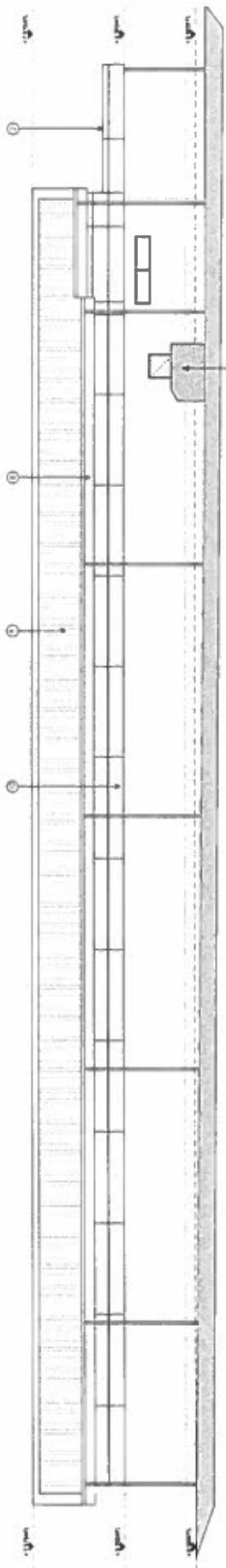
LIDL



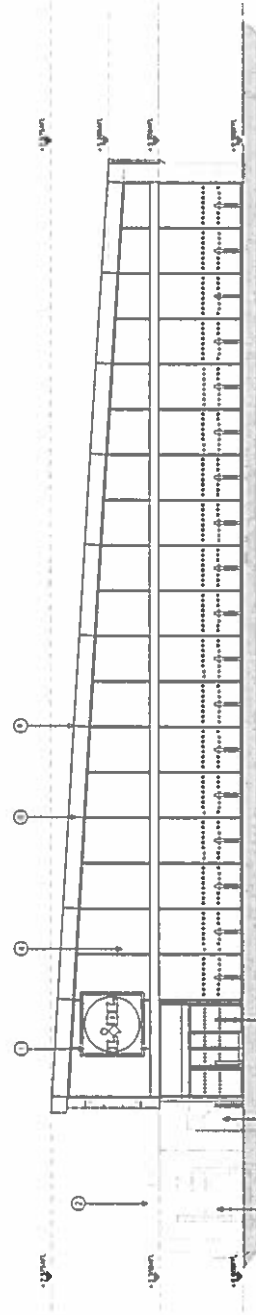
1. All dimensions are in millimeters unless otherwise stated.
 2. All elevations are shown in perspective view.
 3. All elevations are shown in black and white.
 4. All elevations are shown in 1:100 scale.
 5. All elevations are shown in A1 format.
 6. All elevations are shown in 1:100 scale.
 7. All elevations are shown in A1 format.
 8. All elevations are shown in 1:100 scale.
 9. All elevations are shown in A1 format.
 10. All elevations are shown in 1:100 scale.



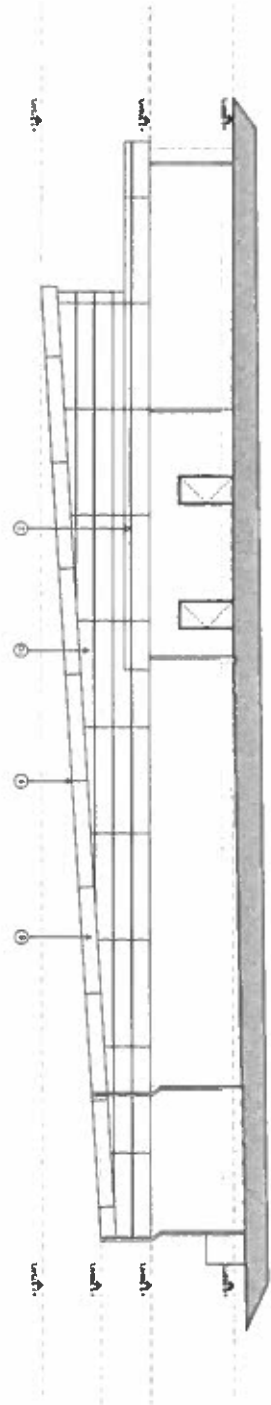
FRONT ELEVATION (SOUTH EAST)



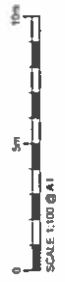
REAR ELEVATION (NORTH WEST)



SIDE ELEVATION (NORTH EAST)



SIDE ELEVATION (SOUTH WEST)



REVISIONS

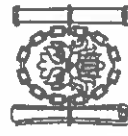
No.	Description	Date
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2	Issue for client approval	15/05/2015
3	Issue for client approval	15/05/2015
4	Issue for client approval	15/05/2015
5	Issue for client approval	15/05/2015
6	Issue for client approval	15/05/2015
7	Issue for client approval	15/05/2015
8	Issue for client approval	15/05/2015
9	Issue for client approval	15/05/2015
10	Issue for client approval	15/05/2015

STATUS: PLANNING
 Client: IED UK GAMBACORP, WAJ 15E
 Project: PHSIAORE ROAD, PHSIAITH
 Title: PROPOSED ELEVATIONS
 Job No.: 15005
 Drawing No.: AD 113
 Drawn by: CP
 Checked by: SWP
 Date: APR 2015
 Scale: 1:100
 Sheet: A1

ELEVATION PLANS

ONE DESIGN

ARCHITECTURAL SERVICES



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 Registration No. 01224-S-91188
 Registration State: MA
 Registration Expiration: 12/31/2015



1/2"

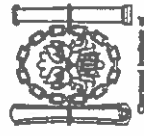
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STATUS: PLANNING

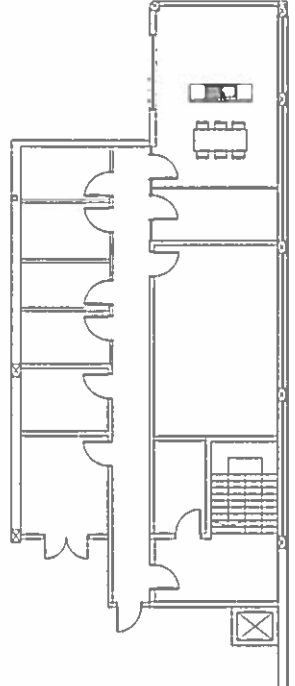
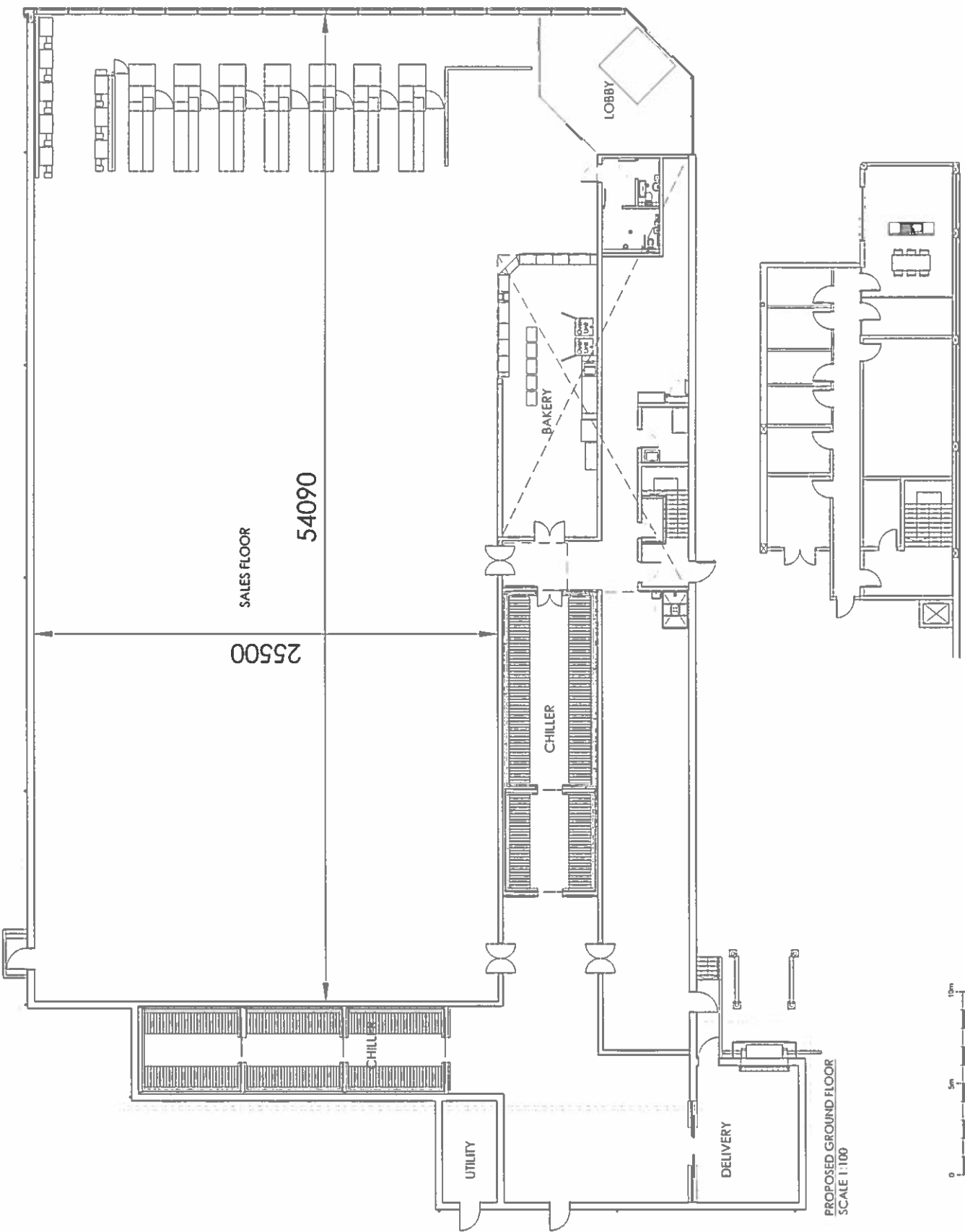
Client: IEN US GAUWHICORH WAYISE
 Project: FRESHMARE ROAD, PEGRAMTH
 Title: PROPOSED BUILDING PLAN

FLOOR PLAN
ONE DESIGN
 ARCHITECTURAL SERVICES

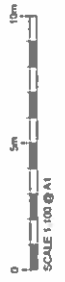
Job No. 15005
 Drawing No. AD1111-RVA
 Drawn by CF
 Checked by SP
 Date SEP-2015
 Scale 1/8" = 1'-0"
 Sheet A1



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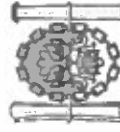
PROPOSED FIRST FLOOR
 SCALE 1:100



PROPOSED GROUND FLOOR
 SCALE 1:100

STREET SCENE PLANS

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STATUS: PLANNING

Client
LULU, 156 CANNON ROAD, W14 7SE

Project
FINSBURGH ROAD, PRESTATON

Title
EXISTING & PROPOSED STREET SCENES

Job No. 13303

Drawing No. AD 718

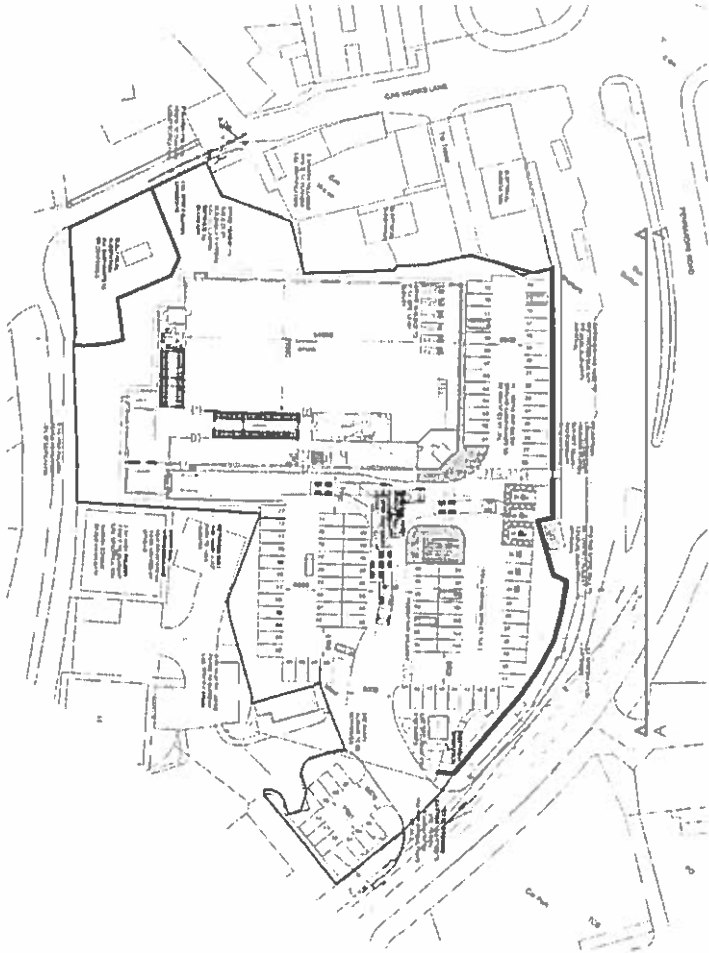
Drawn by EA

Checked by SP

Date 03.20.16

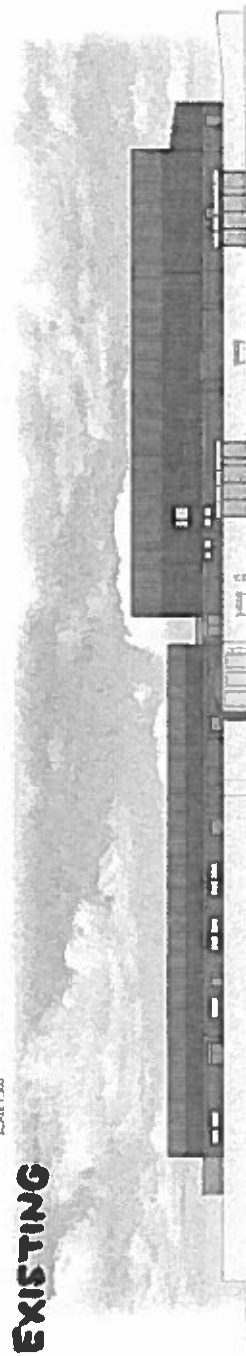
Scale 1:200 & 1:20

Sheet A1



PROPOSED SITE LAYOUT
SCALE 1:200

EXISTING



EXISTING STREET SCENE
SCALE 1:200

PROPOSED



PROPOSED STREET SCENE
SCALE 1:200

IMPORTANT INFORMATION:
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WARD : Prestatyn Central

WARD MEMBER(S): Cllr Peter Duffy
Cllr Hugh Irving

APPLICATION NO: 43/2016/0432/ PF

PROPOSAL: Demolition of existing buildings and erection of foodstore (Class A1), car parking and service areas, vehicular and pedestrian accesses and associated works

LOCATION: Land at Parc Dyffryn Industrial Estate Ffordd Pendyffryn Prestatyn

APPLICANT: Mr E Whalley Lidl UK GmbH And Merbuild Developments Limited

CONSTRAINTS: 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 / approve – 4 or more objections received

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

“Observation, further details of recent traffic survey and County Highways assessment should be provided.”

NATURAL RESOURCES WALES

No objection subject to conditions relating to contamination, environmental management and bats/light spillage.

DWR CYMRU / WELSH WATER

No objection. Request drainage details are secured by condition.

DENBIGHSHIRE COUNTY COUNCIL CONSULTTEES

Consultant Arboriculturist

No objection subject to a landscaping condition.

Highways Officer

Following discussions with the LIDL Highways Consultants over the detailing of the access arrangements, the Highways Officer requested additional information. On the basis of the additional information, the Highways Officer has raised no objection to the scheme, and requests conditions be imposed requiring relevant details of access / junction arrangements, Construction method and Delivery Management systems.

Senior Technical Officer Environmental Health

No objection, subject to conditions relating to opening hours, delivery times and noise levels.

Strategic Planning and Housing Team
No objection.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Cristhian Darlington, Unit B, Morfa Unit, Prestatyn (O)
Bob Paterson, 120 Ffordd ty Newydd, Meliden, Prestatyn (O)
Ms Jacqueline Rowe, Gas House, Gas Works Lane, Prestatyn (O)
Ian Scott, 97 Fforddisa, Prestatyn (O)
Sure Christou, 2 Nant Drive, Prestatyn (O)
David Bramwell, 4 Bosworth Grove, Prestatyn (O)
Stan Jones, 31 St James Drive, Prestatyn (C)
Mr and Mrs Ewing, 10 Bryn Llys, Meliden (O)

Summary of planning based representations in objection:

Highways -

Access unacceptable, no capacity in local highway network, risk to pedestrians.

Need-

Prestatyn already well served by supermarkets.

Amenity-

Concerns over impacts on adjacent occupiers, light, noise, disturbance.

In support

Representations received from:

Tracy Evans, 58 Fforddisa, Prestatyn (S)
Emma Jones, 26 Plastirion Avenue, Prestatyn (S)
Elizabeth Butt, 35 Alexandra Drive, Prestatyn (S)
Jayne Parry, 42 Ffordd Parc Bodnant, Prestatyn (S)
Gerard Huby, 28 The Meadows, Prestatyn (S)
Alison Roberts, 34 Salisbury Drive, Prestatyn (S)
Marian Watkin-Jones, 134 Beverley Drive, Prestatyn (S)
Mandy Higgs, 9 Morgan Road, Prestatyn (S)
Anthony Jackson and Richard Rowlands, 16 Gordon Avenue, Prestatyn (S)
Jill Lloyd, 46 Highbury Avenue, Prestatyn (S)
John Marden, 22 The Mall, Prestatyn (S)
Mr and Mrs Connor, 1 Sandiway, Prestatyn (S)
Mr and Mrs Mellor, 14 Coed Mor Drive, Prestatyn (S)
Pauline Quinn, 21 Llandaff Drive, Prestatyn (S)
Veronica Ball, 2 St Chads Way, Prestatyn (S)
Christine Smith, 123 Victoria Road West, Prestatyn (S)
Joan Kendrick, 5 Bangor Crescent, Prestatyn (S)
Peter Kendrick, 5 Bangor Crescent, Prestatyn (S)
Gary Alexander, 14 Lon Eirlys, Prestatyn (S)
Nicholas Lloyd, 5 Plastirion Avenue, Prestatyn (S)
Adam Graham, 26 Broadway, Prestatyn (S)

Summary of planning based representations in support:

Employment-

Proposal will bring employment opportunities.

Retail offer-

Proposal will improve choice for retailers.

Visual amenity-

Proposal will improve eyesore site.

EXPIRY DATE OF APPLICATION: Extension of time agreed until 14/12/2016

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks full planning permission to erect a use Class A1 foodstore with associated access, parking, servicing and landscaping on land at Parc Dyffryn Industrial Estate off Ffordd Pendyffryn in Prestatyn.
- 1.1.2 The foodstore operator is identified in the submission as Lidl.
- 1.1.3 The application site is indicated as some 0.78 hectares (1.94 acres) in extent and comprises of vacant warehouse units and related hardstanding.
- 1.1.4 The main elements of the scheme are:
 - The erection of a use Class A1 foodstore to be located at the north western end of the site (see plans at the front of the report). This would be a mono-pitched roof building. The elevation detailing shows a mix of render and cladding with glazing and an entrance canopy on the north/south east corner. The elevation facing north east to the bus depot would be almost fully glazed. The roof detailing is silver standing seam cladding.
 - The foodstore would have a gross internal floorspace of 2454 sq metres, with a sales area of 1435 sq metres. It would have a first floor area for staff welfare facilities, including a meeting room and offices.
 - The main vehicular access would remain as existing from Parc Dyffryn off Pendyffryn Road, with improvements proposed. The access would serve the store and a customer parking area with 104 parking spaces (including 3 disabled spaces, 3 parent /child spaces, and cycle spaces).
 - Pedestrian access is also proposed on the north east boundary of the site to the bus station.
 - Associated landscaping / planting proposals, including new planting around the access and along the boundary with Pendyffryn Road.
 - The application forms refer to the number of full time equivalent jobs created as 25.
 - Hours of opening stated on the forms are 0700-2200 Monday to Saturday and 1000-1700 on Sunday.
- 1.1.5 The application contains a range of documents in addition to the standard forms and plans. These include:
 - Design and Access Statement
This outlines the design approach to the scheme and the policy context.
 - Planning Statement (including Retail Impact Study and Community Linguistic Assessment).
This is a general document that argues the proposal is compliant with policy, there will be no unacceptable retail impact / impact on vitality and viability of town centre and the access proposals and highway network are acceptable to accommodate development. The CLA concludes that the application would not impact on the Welsh language.

Transport Assessment

Considers the existing and proposed traffic flows and how this modelling has informed the design of the access arrangements.

Flood Consequence Assessment

This explores issues of floodrisk and drainage on the site, and advises that neither issue would be problematic.

Statement of Community Consultation

This sets out what work was undertaken in relation to pre-application engagement with the local community.

Land Contamination Report

This deals with the issues of the previous land use on the site.

Noise Survey

A noise survey has been carried out of the existing noise levels representative of the closest residential properties to the proposed food store. The document makes recommendations based on the potential noise associated with the proposed development.

1.2 Description of site and surroundings

- 1.2.1 The site is located off Pendyffryn Road, to the east of Prestatyn Town Centre.
- 1.2.2 The town centre bus station abuts the east of the site and Parc Dyffryn Business Park is located to the south. The west of the site is bounded partially by a public footpath, linking to the Prestatyn Dyserth Walkway along the former railway line and the GMS Auto Centre. The north of the site is bounded by some residential and commercial uses fronting Gas Works Lane and an electricity substation compound to the north.
- 1.2.3 The site has roughly 100 metres of stone retaining wall along the frontage with the bus station which is proposed to be reduced as part of the application to redevelop the site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary for Prestatyn as shown on the Local Development Plan proposals map.
- 1.3.2 The site also has a specific allocation as a Brownfield Development Priority Area, BSC 2 allocation, in the plan.

1.4 Relevant planning history

- 1.4.1 It is understood that the site was redeveloped in the early 1980's by the former Welsh Development Agency in collaboration with the former Rhuddlan Borough Council, to provide small business units.
- 1.4.2 The units were subsequently taken over by a single operator of optical equipment who left the site in the early 2000's following a merger with Qioptic in St Asaph.
- 1.4.3 Tesco acquired the site in 2007 in order to facilitate the relocation of an existing business in Prestatyn Town Centre to enable the development of their store. However the site has been predominantly vacant since as the business proposed to be re-sited here failed.
- 1.4.4 It is understood that despite marketing by commercial agents in local and regional press and online, limited interest was expressed in its use for employment purposes.

1.1 Developments/changes since the original submission

1.1.1 The application has been amended since the original submission on the advice of Denbighshire's Highways Officer relating to Highways and accessibility matters.

1.2 Other background information

1.2.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 No recent planning history of any specific relevance to the current proposals.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy RD5 – The Welsh language and the social and cultural fabric of communities
Policy BSC1 – Growth Strategy for Denbighshire
Policy BSC2 – Brownfield development priority
Policy PSE6 – Retail economy
Policy PSE7 – Proposals for new retail development
Policy VOE1 - Key areas of importance
Policy VOE5 – Conservation of natural resources
Policy VOE6 – Water management
Policy ASA3 – Parking standards

3.1 Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

Technical Advice Notes

TAN 4 : Retail and Commercial Development

TAN 18: Transport

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, December 2016 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.3). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, towards the aim of sustainability, and be fairly and reasonably related to the development concerned.

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Principle

4.1.2 Visual amenity

4.1.3 Residential amenity

4.1.4 Drainage (including flooding)

4.1.5 Highways (including access and parking)

4.1.6 Impact on Welsh Language and Social and Cultural Fabric

Other matters.

Well-being of Future Generations (Wales) Act 2015

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy RD 1 Sustainable development and good standard design sets basic tests to be applied to proposals on sites within development boundaries.

The site has been designated as 'brownfield development priority' BSC 2 area in recognition of the potential to contribute towards economic growth and sustainable regeneration of Prestatyn.

PSE 9 Out of Centre Retail Development is applicable to proposed retail development. The policy states that proposals for small scale retail uses will be permitted provided that they: (1) are less than 500sqm gross area; (2) serve the local area; (3) do not form part of an industrial estate; and (4) do not jeopardise the viability and vitality of town or district centres. Where the size of any retail unit proposed exceeds 500sqm gross area, regard needs to be given to criteria outlined in Planning Policy Wales alongside guidance in Technical Advice Note 4.

Both PPW and TAN 4 have been updated since the submission of this planning application, but both retain the underlying requirement for applications for retail developments in this type of location to address a range of tests including demonstrating a need, applying a sequential test for justifying the location, as well as supporting the objectives of the development plan, being accessible and enhancing the existing vibrancy and attractiveness of the existing retail centre.

As noted previously, the application proposes the erection of a 2454 sq metre store with a net retail floor space of 1,435 sq metres. Owing to the location of the site approximately 50 metres from the defined district centre boundary and the size of the site, a Retail Assessment has been submitted in support of the application. The Retail Assessment demonstrates there is a need for the proposed development; argues that the proposal passes the sequential test; and that owing to its location in close proximity to the High Street it is expected that there will be a positive impact on the vibrancy of the town centre. The Council's 2013 Retail Capacity exercise infers that there is sufficient capacity in the short term to support the convenience floorspace within the proposed Lidl store. The Strategic Planning Policy and Housing Team have raised no objection to the proposal on the basis of the retail assessment.

The site is located within the development boundary, on a brownfield development priority site. Retail provision on such site would not be contrary to local or national policy subject to a demonstration of need. On the basis of the information submitted in support of the application, including the retail assessment, and with regard to consultation responses, Officers consider the proposal is acceptable in principle. The detailed impacts are considered below.

4.2.2 Visual Amenity

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings. Policy VOE 1 identifies a number of areas which will be protected from development which adversely affects them. The listed sites include sites of built heritage.

The application site currently houses vacant industrial units. The proposal is to erect a building of modern design with a mono-pitch roof. There is a mix of development in the locality including the modern library opposite the site on Kings Avenue and some older brick buildings off Gas Works Lane. No objections have been raised on grounds of visual amenity.

Having regard to the design, siting, scale, massing and materials of the proposed development in relation to the existing site and surroundings, it is considered that the proposals would be acceptable in terms of visual impact and are in accordance with the requirements of the policies and guidance referred to.

4.2.3 Residential Amenity

Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest, and as the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties. Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself.

Concerns have been raised over the amenity impacts of the development from the occupiers of Gas House.

The nearest dwelling to the site is Gas House, which is approximately 27 metres from the existing building on the site. On the opposite side of the Walkway to the south west there are also dwellings sited off Conwy Grove, which are some 80m from the existing main building.

Measured from the submitted plans, the proposed foodstore building would be some 25m from Gas House, and would extend further to the south east than the existing buildings. The rear of the foodstore would be some 28m from the nearest dwelling on Conwy Grove.

Whilst accepting the siting of the store would have some impact on the outlook from Gas House in particular, in the context of existing development on the site, the relationship between the properties, the actual detailing of the building and the town location, the development would not appear overpowering or so overbearing to justify refusal of the application.

Noise mitigation has been included as part of the development and can be conditioned as per the Public Protection Officer's suggestion, to address concerns over disturbance to occupiers of nearby dwellings.

Having regard to the nature of the existing and proposed development in relation to neighbouring properties, and to the proposed noise mitigation measures, it is considered that the proposal would not have an unacceptable impact on these aspects of residential amenity. The proposals are therefore considered to comply with the policies and guidance listed above.

4.2.4 Highways (including access and parking)

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

There are representations raising highway concerns, in terms of the acceptability of the access and the road network. The Highways Officer has been in dialogue with the applicant's highway consultants, and on consideration of the revised details submitted, raises no objections. Conditions are suggested requiring submission of further details of revisions to the site access, associated junction arrangements, construction and Delivery management plans.

For clarity, to facilitate the development, off site highway works are proposed which include; widening of Ffordd Pendyffryn immediately to the south of the site access, retaining the full length of the right turn lane into Pen isa'r dre Road, creating a 10m long right turn "pocket" into the site, and creating a build out on the south-east corner of the junction of Ffordd Pendyffryn / Pen isa'r dre Road to reduce the crossing distances for pedestrians. The access arrangements have been designed using

comparative traffic modelling and Highway's Officers are satisfied it will accommodate the traffic volumes without impacting significantly on flows on the surrounding road network. Officers are satisfied that full consideration has been given to the highway implications of the development, and in acknowledging local reservations, the proposals are considered acceptable in relation to highway safety and parking provision, and are compliant with the relevant planning policies and guidance, subject to inclusion of conditions requested by the Highway Officer.

4.2.5 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding.

The site is not located within a flood risk zone or area designated as sensitive from the point of view of flooding or drainage.

Natural Resources Wales have been consulted on the application and Flood Consequences Assessment and have no objection to the proposals. Dwr Cymru have confirmed that the drainage strategy proposed is acceptable subject to necessary controls being imposed.

Having regard to the advice of NRW and Dwr Cymru, who are the relevant experts in relation to floodrisk and drainage in relation to development, it is considered that the proposals are acceptable in relation to these considerations and are therefore considered to be compliant with the policies listed above.

4.2.6 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Policy RD 5 in the Local Development Plan.

The brief Community Linguistic Statement submitted with the application concludes that the proposals would have no negative impact on the needs and interests of the Welsh Language.

In Officers' opinion a retail development on this site would not by virtue of its scale and location give rise to significant harm to the character and language balance of the community.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed

5. SUMMARY AND CONCLUSIONS:

5.1 It is the opinion of Officers that the proposal is acceptable having regard to the relevant planning policies and material considerations, and is therefore recommended for grant, subject to conditions.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th December 2021.
2. The development hereby permitted shall be carried out in accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Proposed elevations (Drawing No. AD 113 rev A) received 24 October 2016
 - (ii) Proposed floor plan (Drawing No. AD 111 rev A) received 26 September 2016
 - (iii) Existing and proposed street scenes (Drawing No. AD 118) received 5 May 2016
 - (iv) Proposed roof plan (Drawing No. AD 112) received 5 May 2016
 - (v) Proposed site finishes (Drawing No. AD 115) received 5 May 2016
 - (vi) Proposed boundary treatment (Drawing No. AD 114) received 5 May 2016
 - (vii) Proposed planting specification plan (Drawing No. AD 117 Rev A) received 26 July 2016
 - (viii) Proposed landscaping scheme (Drawing No. AD 116 rev B) received 26 July 2016
 - (ix) Existing and proposed tree layout (Drawing No. AD 119) received 26 July 2016
 - (x) Topographical survey (Drawing No. 17195-1) received 5 May 2016
 - (xi) Existing site plan (Drawing No. AD 101) received 5 May 2016
 - (xii) Proposed site plan (Drawing No. AD 110 rev C) received 24 October 2016
 - (xiii) Proposed levels plan (Drawing No. SK01) received 6 June 2016
 - (xiv) Location plan received 5 May 2016
3. **PRE-COMMENCEMENT CONDITION**
No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the details of proposals for the disposal of foul drainage and surface water drainage (including roof water) in connection with the development. The development shall proceed in accordance with the submitted details which shall include details of the timing of implementation.
4. **PRE-COMMENCEMENT CONDITION**
Notwithstanding the approved plans, no development shall take place until the written approval of the Local Planning Authority has been obtained to a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:
 - (a) Proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of implementing the planting;
 - (b) Proposed materials to be used on any access roads, paths and other hard surfaced areas;
 - (c) Proposed earthworks, grading and mounding of land and changes in levels, retaining structures, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform, and water features;
 - (d) Proposed positions, design, materials and type of boundary treatment, including screen walls and fences, and the timing of implementing the treatment;
 - (e) Any minor artefacts and structures, including furniture, play equipment, refuse and other storage equipment, signs,
 - (f) The timing of the carrying out of the planting, landscaping, erection of screen walls and fences relative to the different elements of the development
 - (g) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas.
5. All planting, seeding or turfing, and fencing, and boundary treatment comprised in the approved details of landscaping shall be completed in the first planting season following the completion of the development. Any trees or plants which within a period of 5 years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All screen walls and fences shall be maintained and retained as approved unless the Local Planning Authority gives written approval to any variation.

6. The total gross internal floorspace of the store hereby permitted shall not exceed 2454 sq m including, for the avoidance of doubt, any mezzanine floorspace.
7. The total retail sales area of the store hereby permitted (excluding checkouts, lobbies, concessions, cafe, customer toilets and walkways behind the checkouts as per the definition given by the Competition Commission) shall not exceed 1435 sq m, including, for the avoidance of doubt, any mezzanine floorspace.
8. The total retail sales area devoted to the sale and display of convenience goods shall not exceed 1148sq m, including, for the avoidance of doubt, any mezzanine floorspace.
9. The total retail sales area devoted to the sale and display of comparison goods shall not exceed 287sq m including, for the avoidance of doubt, any mezzanine floorspace.
10. The foodstore shall not be open for customers outside the hours of 0700 - 2200 Monday to Saturday and 1000-1700 on Sundays.
11. Deliveries to the store and the handling and collection of waste and other activity within the service area shall not be permitted outside the hours of 0600 - 2200 on any day, and any waste arising from the facing up of the store in the evening shall be stored within the store for removal the following morning.
12. Notwithstanding the submitted proposals, no external lighting of the car park, service yard, foodstore building or any part of the application site shall be permitted until the written approval of the Local Planning Authority has been obtained to the detailing of all lighting columns and lights, their position, height, design, the means and intensity of illumination, hooding, hours of operation, and proposals for reduced intensity outside store operating hours, and emergency/security lighting. The development shall be carried out strictly in accordance with the details approved under this condition.
13. There shall be no external storage of goods, crates, waste, or any items relating to the delivery or collection of goods from the foodstore, at any time, other than within the service area.
14. No external sound amplification systems or the playing of music shall be permitted at any time outside the foodstore.
15. There shall be no restrictions placed on the use of the foodstore car park (including length of stay and charging) other than with the prior written approval of the Local Planning Authority.
16. The proposed customer car park shall not be brought into operation until the written approval of the Local Planning Authority has been obtained to the detailing of a suitable gate/barrier to prevent access by motor vehicles outside store opening hours. The approved gate/barrier shall be installed prior to the first opening of the store and shall be operated daily in association with the opening and closing of the store.
17. **PRE-COMMENCEMENT CONDITION**

Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

 1. A preliminary risk assessment which has identified; all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
 - a. Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.
18. **PRE-COMMENCEMENT CONDITION**

Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also

- include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
19. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.
 20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
 21. No infiltration of surface water drainage into the ground shall be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
 22. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
 23. The noise levels from the site shall be in strict accordance with the levels stated in the noise report produced by Noise Assess ref 11652.01.v2 dated April 2016.
 24. In the event of complaints to the Local Planning Authority over noise attributable to the operation of the business, and after they have been initially investigated by the Authority to assess that there is a potential for breach of condition 23:
 - a. The Authority shall notify the applicants in writing of the complaint;
 - b. Within one month of notification by the Authority, the applicants shall organise, at their own expense, a noise assessment by independent acoustic consultants, in accordance with a brief to be set by the Authority, to establish whether the terms of Condition 23 are being met, to identify the source of any noise which may be giving rise to complaint, and to put forward measures for addressing/mitigating noise so that the levels set in Condition 23 are met, including the timing of implementation of the measures;
 - c. A copy of the noise assessment undertaken in accordance with b. shall be submitted to the Authority no later than two months from the date of notification in a.
 25. In the event that a noise assessment carried out in accordance with Condition 24 identifies noise exceeding the levels set in Condition 23:
 - a. Specific mitigation measures as set out in the assessment, or such other alternative means of addressing the source(s) of noise as are submitted for the consideration and approval of the Local Planning Authority, shall be implemented in accordance with a timescale to be agreed in writing with the Authority;
 - b. The applicants shall organise, at their own expense, a noise assessment by independent acoustic consultants, in accordance with a brief to be set by the Authority, of noise levels at an agreed noise sensitive facade for a period to be agreed with the Authority, once the approved mitigation measures have been implemented, to determine whether the requirements of Condition 23 are being met;
 - c. A copy of the findings of the further noise monitoring undertaken in accordance with b. shall be submitted to the Authority within 7 days of completion
 26. In the event that the noise monitoring required by Conditions 24 and 25 of this permission confirms that noise levels remain in excess of those set in Condition 22, the item(s) of plant, equipment, activities, etc. identified as giving rise to the problems shall not be permitted to continue to operate until alternative mitigation measures are approved in writing by the Local Planning Authority, the measures as approved are implemented, the same noise monitoring arrangements as set out in Conditions 24 and 25 are undertaken, and the written approval of the Authority is obtained to the continued operation of the particular plant, equipment, activities, etc.
 27. Full details of the alterations to the existing vehicular access, the reconfiguration of the signalled controllers, the revalidation of the Mova system at the Pen isa'r dre Road/bus

station entrance junction and Bridge Road/gas Works lane junction and associated highway works including the detailed design, layout, construction, street lighting and drainage shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any site works and the works shall be completed in accordance with the approved plans before the development is brought into use.

28. PRE-COMMENCEMENT CONDITION

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction of works.
- delivery vehicle routes to and from the site from major highway links.

29. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the approved plan and which shall be completed prior to the development being brought into use.

30. PRE-COMMENCEMENT CONDITION

No development shall take place until a Delivery Management Plan has been submitted to and approved by the Local Planning Authority, the details shall include delivery times, vehicle routes to the site and the means of ensuring Lidl HGVs turn left into the site and left out from and onto Ffordd Pendyffryn.

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. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure the development is served by a satisfactory drainage system.
4. In the interests of visual amenity.
5. In the interests of visual amenity.
6. In order that the Local Planning Authority retains control over the floorspace and subdivision of the foodstore, to protect the viability and vitality of the town centre.
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9. In order that the Local Planning Authority retains control over the floorspace and subdivision of the foodstore, to protect the viability and vitality of the town centre.
10. In the interests of residential amenity.
11. In the interests of residential amenity.
12. In the interests of residential amenity.
13. In the interests of visual and residential amenity.
14. In the interests of residential amenity.
15. To ensure the development allows for the possibility of visitors carrying out linked trips to the town centre, in the interests of the vitality and viability of the centre.
16. In the interests of residential amenity and to deter antisocial behaviour.
17. Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity as the site sits on a Secondary A aquifer and groundwater is likely to flow to the Prestatyn Gutter; and contamination is suspected from the historic use of the site as a gasworks.

18. To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
19. To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
20. It is possible that there may be unidentified areas of contamination at the site resulting from the past industrial uses of the site that could pose a risk to controlled waters if they are not remediated
21. There is an increased potential for pollution from inappropriately located infiltration systems such as soakaways, unsealed porous pavement systems or infiltration basins.
22. There is an increased potential for pollution of controlled waters from inappropriate methods of piling. An appropriate scheme to address the contamination at the site will be required.
23. In the interests of the amenities of occupiers / users of nearby properties.
24. In order that appropriate steps are put in place to investigate and mitigate noise complaints, in the interests of the amenities of occupiers / users of nearby properties.
25. In order that appropriate steps are put in place to investigate and mitigate noise complaints, in the interests of the amenities of occupiers / users of nearby properties.
26. In order that appropriate steps are put in place to investigate and mitigate noise complaints, in the interests of the amenities of occupiers / users of nearby properties.
27. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
28. In the interest of the free and safe movement of traffic on the adjacent highway and in the interests of highway safety.
29. To provide for the parking of vehicles clear of the highway in the interest of traffic safety.
30. In the interests of highway safety.