

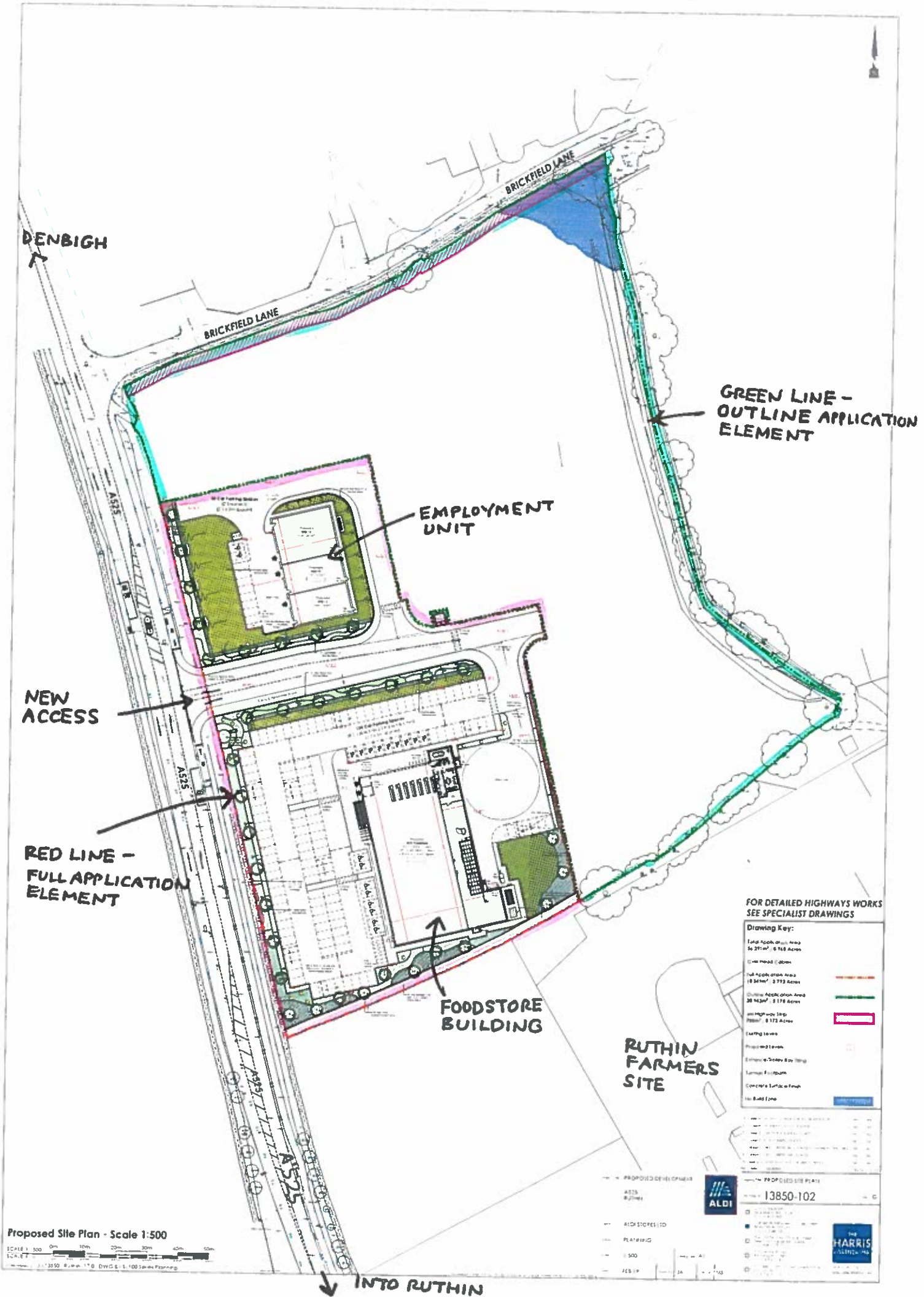
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02/2019/0500

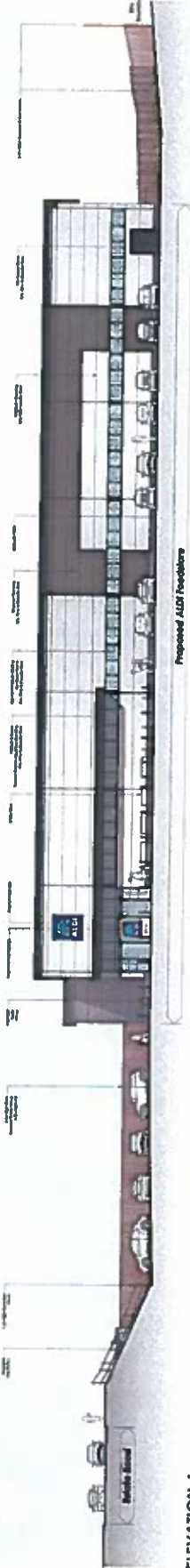
Scale: 1:2500

Printed on: 15/8/2019 at 10:57 AM

PROPOSED SITE PLAN



PROPOSED FOOD STORE ELEVATIONS



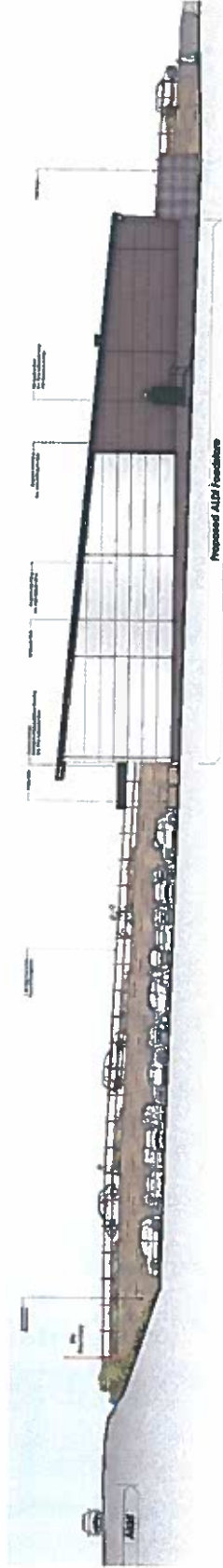
ELEVATION A



ELEVATION B



ELEVATION C



ELEVATION D



Proposed Development
A525
Ruthin

Client: Aldi Stores Limited
 Date: 17/04/19
 AHD-01: 13850-V10-00-Prepared Elevations
 Scale: A525.03



THE HARRIS PARTNERSHIP
 JACK HARRIS
 214, Avenue Road, York
 T 01904 291 800
 F 01904 290 877
 www.harrispartnership.co.uk

PROPOSED VISUAL ILLUSTRATION



Proposed Development - Ruthin Road, Ruthin

Client: Aldi Stores Ltd
Date: 10/04/19
Job/Draw: 13850 Ruthin EG02A

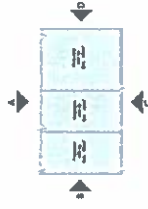
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PROPOSED EMPLOYMENT UNIT ELEVATIONS



Elevation Key - NTS



Proposed Development
A525
Ruthin

Client: Aldi Stores Limited
 Date: 17/04/19
 Job No: 13150-V113D-Proposed Elevations
 Scale: A1:500



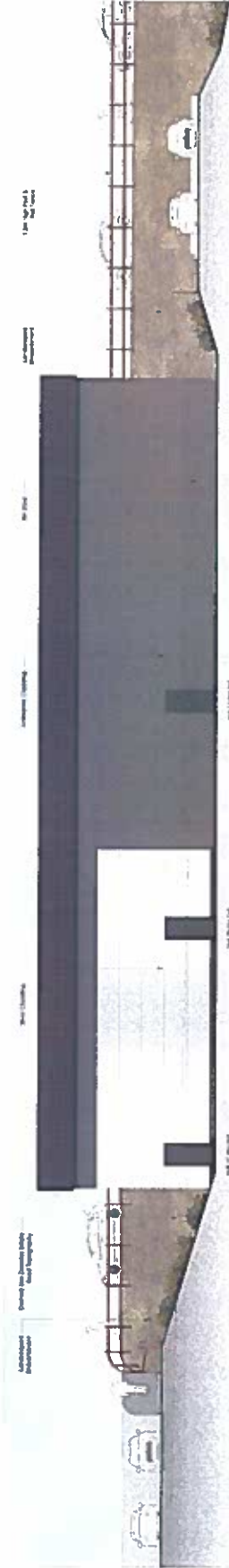
THE HARRIS PARTNERSHIP
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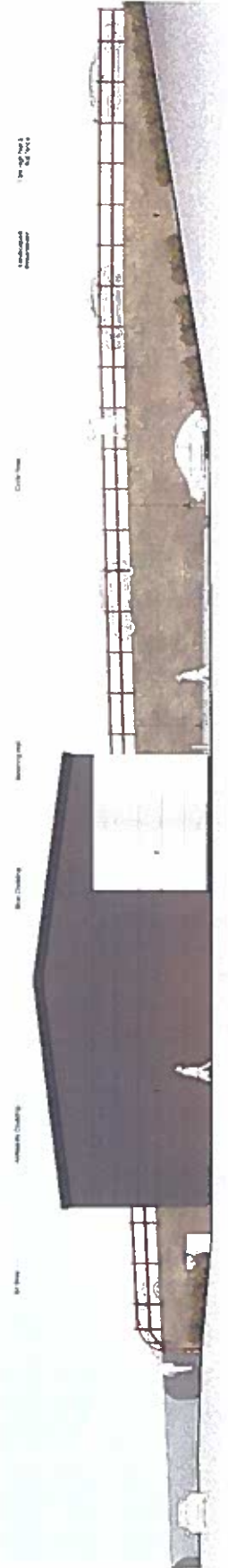
ELEVATION A
 PROPOSED UNIT 1A



ELEVATION B
 PROPOSED UNIT 1B

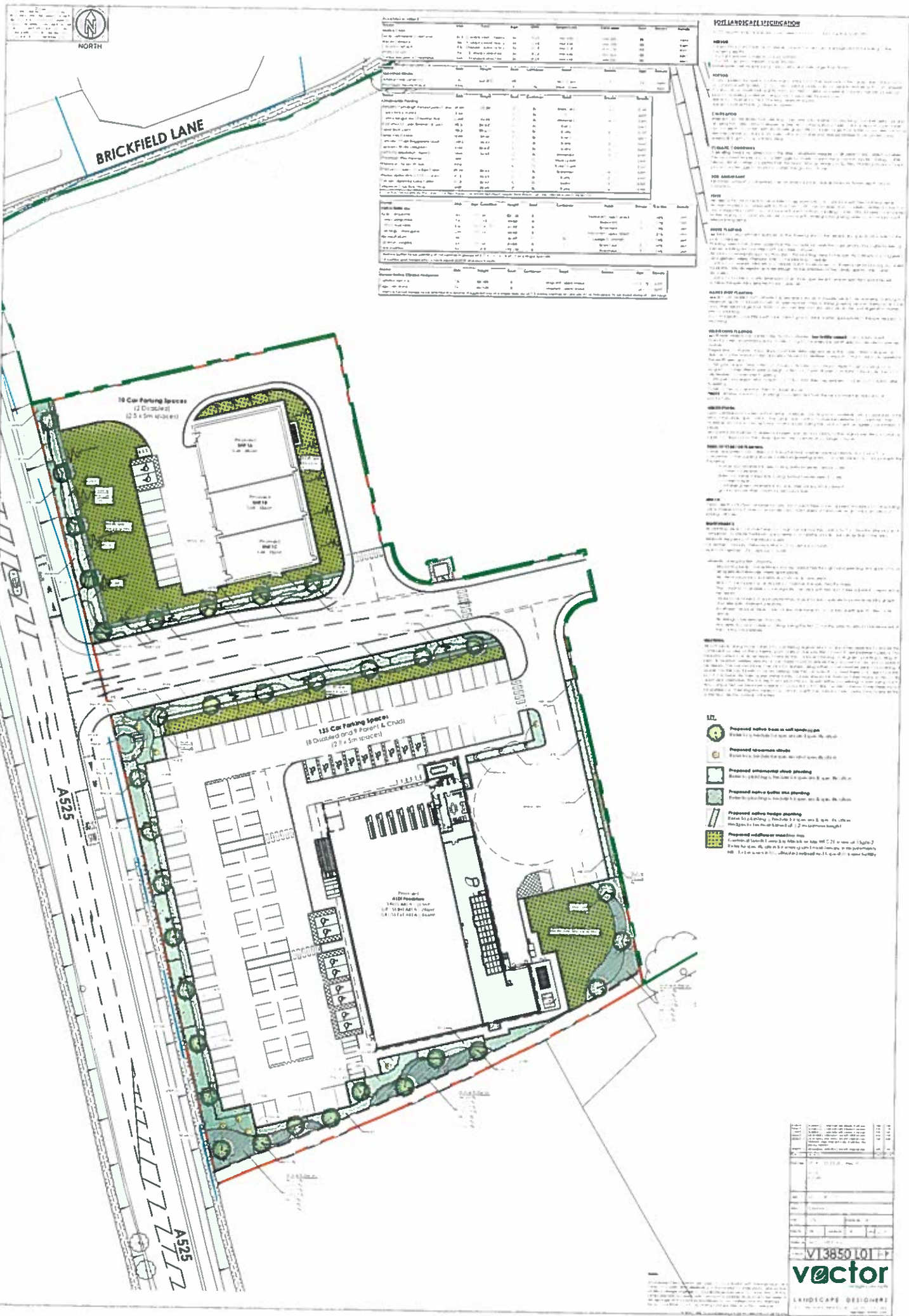


ELEVATION C
 PROPOSED UNIT 1C



ELEVATION D
 PROPOSED UNIT 1A

PROPOSED LANDSCAPING PLAN



Plant Name	Code	Height	Spread	Quantity	Notes
Plant Name 1	101	10'	10'	10	Plant Name 1
Plant Name 2	102	10'	10'	10	Plant Name 2
Plant Name 3	103	10'	10'	10	Plant Name 3
Plant Name 4	104	10'	10'	10	Plant Name 4
Plant Name 5	105	10'	10'	10	Plant Name 5
Plant Name 6	106	10'	10'	10	Plant Name 6
Plant Name 7	107	10'	10'	10	Plant Name 7
Plant Name 8	108	10'	10'	10	Plant Name 8
Plant Name 9	109	10'	10'	10	Plant Name 9
Plant Name 10	110	10'	10'	10	Plant Name 10

POSTLANDSCAPE ILLUSTRATION

NOTES

1. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

2. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

3. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

4. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

5. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

6. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

7. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

8. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

9. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

10. All plantings shall be installed in accordance with the specifications and quantities shown on this plan.

- LEGEND**
- Proposed native tree on self-landscaping
 - Proposed ornamental shrub
 - Proposed ornamental shrub planting
 - Proposed native shrub on planting
 - Proposed native hedge planting
 - Proposed native hedge planting

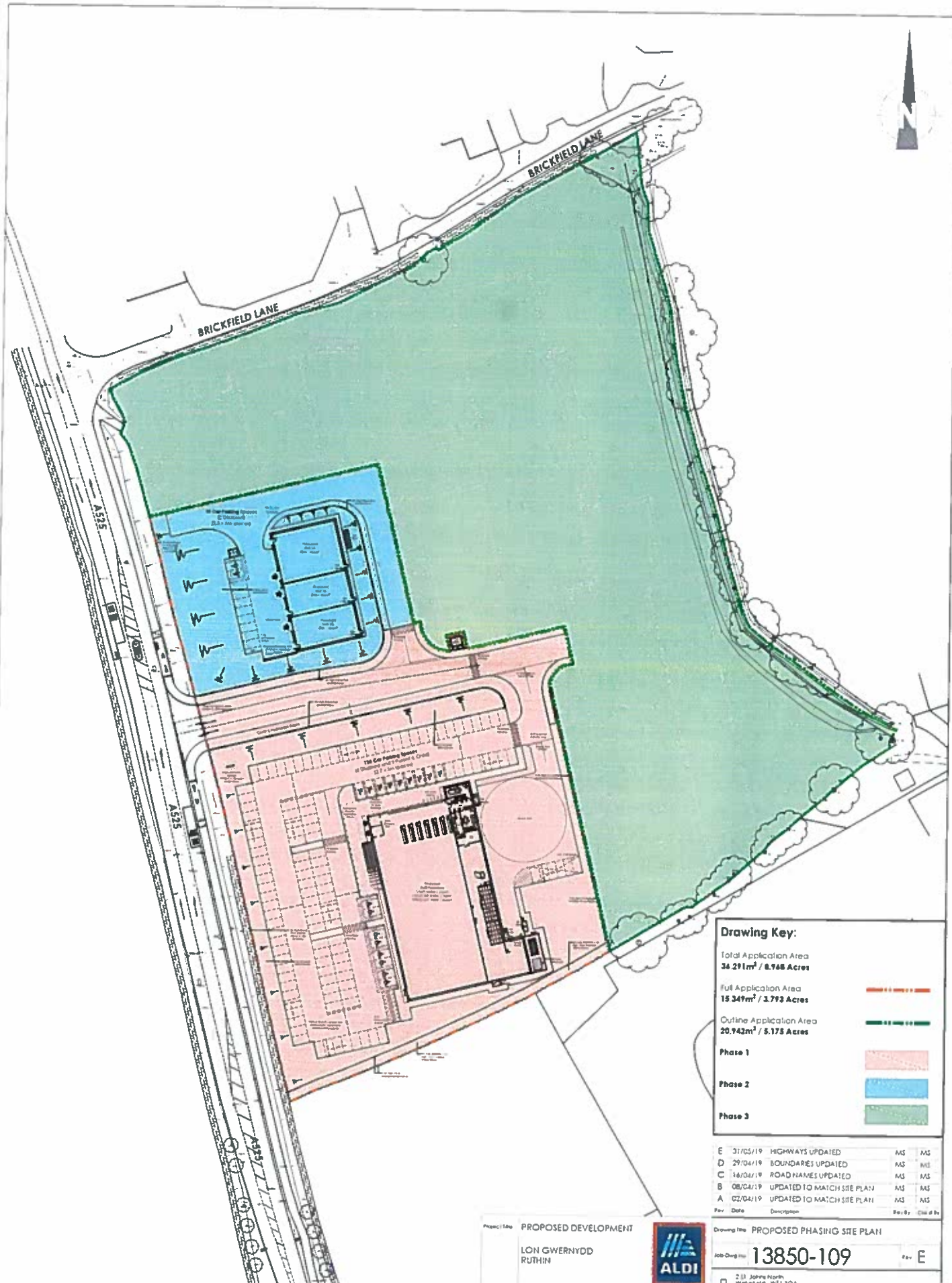
VI 3850 1011 P

vector

LANDSCAPE DESIGNERS

1234 Main Street
City, State, Zip
Phone: (555) 123-4567
Fax: (555) 987-6543
Email: info@vector.com

PROPOSED PHASING PLAN



Drawing Key:

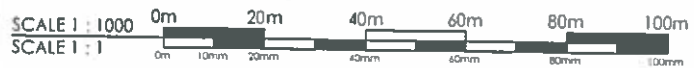
- Total Application Area
34,291m² / 8.968 Acres
- Full Application Area
15,349m² / 3.793 Acres
- Outline Application Area
20,942m² / 5.175 Acres
- Phase 1
- Phase 2
- Phase 3

Rev	Date	Description	Rev. By	Clk. d. By
E	31/05/19	HIGHWAYS UPDATED	MS	MS
D	29/04/19	BOUNDARIES UPDATED	MS	MS
C	14/03/19	ROAD NAMES UPDATED	MS	MS
B	08/04/19	UPDATED TO MATCH SITE PLAN	MS	MS
A	02/04/19	UPDATED TO MATCH SITE PLAN	MS	MS

Project Title	PROPOSED DEVELOPMENT	
	LON GWERNYDD RUTHIN	
Client	ALDI STORES LTD	
Status	PLANNING	
Scale	1:1000	Drawing Size: A3
Date	FEB 2019	Drawn By: MS Checked: MS

Drawing Title	PROPOSED PHASING SITE PLAN
Job-Draw No.	13850-109
Rev.	E
<input type="checkbox"/> 2/3 John's North Walsley, WF1 3QA T: 01924 291800 <input type="checkbox"/> Coners Warehouse, 77 Dale Street Manchester, M1 2NG T: 0161 236555 <input type="checkbox"/> The Old Rectory, 79 High Street, Newport Pagnall, MK16 8AB T: 01709 211377 <input type="checkbox"/> 101 London Road, Reading, RG1 5BT T: 0118 9507700 <input type="checkbox"/> 10 Cross Court, 31 Chesham Place London, W1F 1JL T: 0207 4091215	 www.theharrispartnership.co.uk

Proposed Phasing Plan - Scale 1:1000



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WARD :	Ruthin
WARD MEMBERS:	Cllr Emrys Wynne (C) Cllr Huw Hilditch Roberts Cllr Bobby Feeley
APPLICATION NO:	02/2019/0500/ PF
PROPOSAL:	(i) Application for full planning permission for the construction of a foodstore, an employment unit (use class B1/B2/B8) and associated car parking, landscaping, servicing and access, and (ii) Application for outline planning permission for the development of employment units (use class B1/B2/B8) with all matters reserved
LOCATION:	Land off A525 between Ruthin Auction and Brickfield Lane Ruthin
APPLICANT:	Aldi Stores Ltd.
CONSTRAINTS:	None
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:

RUTHIN TOWN COUNCIL

"No objection"

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE**

"Although the site is approximately 2.5km outside the AONB it will be visible in middle distance views from the higher ground of the Clwydian Range to the east. However, the Joint Committee notes that the site is allocated for business development in the LDP and, when viewed from the AONB, will appear as minor infilling of the existing developed area of the town. In this context, the committee considers the impact on the AONB to be minimal and has no objection in principle to the application. To further mitigate the impact on the AONB, the committee would make the following comments on matters of detail:

- The specification of dark coloured 'anthracite grey' for roofs and much of the wall cladding will assist in blending the buildings into the landscape and is supported. It is also noted that the disposition of 'metallic silver' wall cladding is limited on the east facing elevations, which will also assist in mitigating visual impact in distant views from the AONB.
- The committee supports the intention to retain the existing line of trees along the eastern site boundary, which is particularly important to screen and break up views of the building mass from the AONB. The committee would recommend that additional advance structural planting should be undertaken to strengthen this landscape feature and ensure its long term continuity.
- The AONB is working towards formal Dark Sky recognition of the area by the International Dark Sky Association and would recommend that a detailed Lighting Plan is drawn up to ensure that all external lighting is designed and controlled to minimise the impact on the AONB's dark sky."

NATURAL RESOURCES WALES

No objection subject to the inclusion of advisory notes

DWR CYMRU / WELSH WATER

No objection

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objections are raised to the proposal subject to the inclusion of planning conditions and notes to applicant. Highways Officers have given consideration to the following elements of the proposals.

- Capacity of existing network
- Accessibility
- Site access
- Site Layout
- Parking

Conditions would require submission and approval of full details of highway works (junction onto A525, all internal roads and parking areas); and a construction method statement.

Pollution Control Officer

No objection

Ecologist

No objection subject to the inclusion of conditions and notes to applicant

Flood Risk Manager

No objection, the development will require separate SAB approval.

Head of Facilities, Assets and Housing

Fully supports the proposal

Economic Business Development

Fully supports the proposal for a new foodstore and employment units which will provide for a number of benefits

Strategic Planning and Housing Section

No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:

John Williams (J.T. Wms Garden Machinery), Brickfield Lane, Ruthin

Mrs Carol Turner, Hafoty Foel, Betws Gwerfil Goch

Ruthin Farmers Auction Company Ltd, Parc Glasdir, Ffordd Dinbych, Rhuthun

Summary of planning based representations in objection:-

Highway Impact:

There are dangers involved in crossing this busy road and its junctions, children from nearby Rhewl will have to cross three busy junctions; increase in traffic generally within the areas as a result of this proposal and extra housing at Glasdir.

Drainage

Seek assurances that the drainage methods proposed are adequate to deal with the volumes proposed.

Need

Ruthin does not need another supermarket, shops will suffer, there will be no benefit to the town.

Ruthin Farmers Auction Company Ltd does not object in principle to the proposed development and support the prospect of economic development and jobs at this site. However, in their response asks that further consideration is given to re-locate the supermarket further north given proximity to Ruthin Farmers Auction; has some concern arising from the boundary treatments proposed and their adequacy for cattle and horses in the context of managing incident risk.

In support

Representations received from:

76 individual cards have been received with a number of hand written comments, expressing general support of the application.

Summary of planning based representations in support:

Good for local employment; more supermarkets and competition required in the town; good location; will save travelling further afield to more competitive supermarkets; would bring more jobs and youth to the town; hopefully result in further investment in the town as a result; better choice for shoppers and good value supermarket.

General Comment (neither in objection or support)

Wendy Syme, 20 Bro Clywedog, Rhewl

Does not object however considers it vital that access issues are very carefully considered.

EXPIRY DATE OF APPLICATION: 04/09/2019

PLANNING ASSESSMENT:

1. THE PROPOSAL:

- 1.1.1 This application has been submitted as a hybrid application which consists of a part full and part outline planning application on land off the A525 between Ruthin Farmers Auction and Brickfield Lane.
- 1.1.2 The 'full' component of the application consists of the construction of a foodstore, an employment unit (use class B1/B2/B8) and associated car parking, landscaping, servicing and access, detailed as follows:

Erection of a foodstore

- Total internal floor area of 1,786 square metres. The foodstore consists of a large sales area, internal service area, plant room, office, staff meeting room and welfare facilities.
- A modern lean to style building, shown to be cladded using grey shades.
- Formation of a vehicular access of the A525 with associated pedestrian and cycle link.
- Externally, a service yard area to the rear of the foodstore with 6 staff car parking spaces and bin store area.
- Parking facilities for 135 cars including 8 disabled parking spaces located at the front of the store and 9 Parent and Child parking spaces located at the side of the store
- Dedicated cycle and motorcycle spaces
- Hard and soft landscaping within and around the perimeters of the proposed foodstore site.

Erection of a Class B1/B2/B8 employment unit

- Total external floor area of 716 square metres, the unit can be divided into 1,2, or 3 separate units (dependent on occupier interest).
- A modern pitched roof building, shown to be cladded using grey shades.
- Formation of vehicular access road off the main access road

- Parking facilities for 10 cars including 2 disabled parking spaces located to the front of the employment unit
- Dedicated cycle spaces
- Hard and soft landscaping withing and around the employment unit

The illustrations below show the appearance of the proposed foodstore and employment unit:



- 1.1.3 The 'outline' element of the application consists of the remaining part of the site which is proposed for the erection of a building containing 3 employment units (use class B1/B2/B8) with all detailed design matters reserved for approval at a later date.
- 1.1.4 In support of the application, an indicative layout plan has been provided to demonstrate that the proposals would allow for future access to adjacent land within the employment allocation. This illustrates an additional 7 Class B1/B2/B8 employment units ranging from 416sqm to 1,197sqm in floor area.
- 1.1.5 The proposal is to construct the new main access off the A525 into the site to adoptable standards, and services would be installed for the remaining part of the site to serve the employment units, together with a "hammerhead" turning area.
- 1.1.6 The submission indicates that along the northern boundary of the site adjoining Brickfield Lane, an option to purchase a 4m wide strip of land would be made available to the Council and landowners to enable highway improvement works to that access road.
- 1.1.7 In addition to detailed plans, the application has been submitted with a number of supporting documents, as follows:
- Planning Support Statement including Retail Assessment and Employment Land Assessment
 - Design & Access Statement
 - Pre-Application Consultation Report
 - Transport Assessment and Stage 1 Road Safety Audit
 - Ecological Survey
 - Flood Risk Assessment
 - Phase 1 and 2 Geo Environmental Investigation Report
 - Drainage Assessment and infiltration test results
 - Employment Land and Viability Assessment
 - Welsh Language Statement.
- 1.1.7 Detailed plans showing the proposals are included at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The application site consists of 3.63 hectares of agricultural land fronting the A525 on the approach into Ruthin from Denbigh. It is located to the north west of the town and is located approximately 1 mile from the town centre.
- 1.2.2 The western boundary of the site is formed by the A525. The Ruthin Farmers Auction is located immediately to the south, near to the northern roundabout of the link road with the A525.
- 1.2.3 The site is set at a lower ground level than the adjoining highway and is predominantly bound by hedgerow and trees. In the corner of the site adjacent to Brickfield Lane there is a gated field access.
- 1.2.4 There is an existing cycle and pedestrian route along the A525 frontage leading into Ruthin.
- 1.2.5 There are no residential properties in close proximity to the site. Golf Links Farm is located to the west of the site in excess of 100m away.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Ruthin as defined in the Local Development Plan (LDP).

1.3.2 The site is part of an extensive area of land allocated for employment purposes within the LDP.

1.4 Relevant planning history

1.4.1 None

1.5 Developments/changes since the original submission

1.5.1 Clarification has been provided in relation to drainage matters along with a light spillage scheme.

1.5.2 A draft unilateral undertaking has been submitted for consideration by the applicant to ensure the delivery of the whole development.

1.6 Other relevant background information

1.6.1 None

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 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy PSE2 – Land for employment uses

Policy PSE6 – Retail economy

Policy PSE7 – Proposals for new retail development

Policy PSE9 – Out of centre retail development

Policy VOE5 – Conservation of natural resources

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Access For All

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Trees & Landscaping

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

Technical Advice Notes

TAN 4 Retail and Commercial Development (2016)

TAN 5 Nature Conservation and Planning (2009)

TAN 23 Economic Development (2014)

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It advises that

material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned. The DMM further states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 including landscape impact
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy PSE 2 of the Local Development Plan supports development of existing employment sites on the proposals maps, by way of uses within Class B1 (Business Use), B2 (General Industrial and Waste Management facilities) and B8 (Warehousing and Distribution).

Policy PSE 3 seeks to protect employment land and buildings and only offers support for proposals which would result in the loss of such land and buildings where strict tests can be met:

- where there are no other suitable sites available for the development;
- where there is evidence of a continuous marketing process of 1 year alongside practical attempts to retain the employment use and where the premises are no longer capable of providing an acceptable standard of accommodation for employment purposes;
- where there is evidence that the loss of the site/premises would not prejudice the ability of an area to meet a range of employment needs, or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site.

Policy PSE 6 seeks to steer retail development to sites within defined centres.

Policy PSE 7 identifies a number of specific sites for retail development however these are located in Rhyl, Prestatyn, Denbigh and Llangollen.

The range of policies referred to above are in general conformity with the approach to development in Planning Policy Wales (PPW 10), supporting sustainable economic development. Planning Policy Wales also contains a preference for the re-use of land which meets with the definition of 'previously developed land', in preference to development of greenfield sites.

Technical Advice Note (TAN) 4 Retail and Commercial Development refers to the tests of retail need and refers to the starting point for new retail development, requiring any application for an out of centre location which is not in accordance with the adopted development plan, to consider need.

To assist consideration of the proposals against planning policies and guidance, the following information has been provided as part of the application:

Applicants' case

Retail Assessment

The document confirms the proposal involves the development of a Class A1 foodstore on land allocated for employment purposes for Class B1, B2 and B8 use. The Retail Assessment has been drafted in accordance with TAN 4 guidance, along with an Employment Land and Viability Assessment. The Council's most up to date Retail Study in 2018 has been considered however a detailed assessment has been undertaken following standard practices.

The retail element of the proposal is for a 1,786sqm foodstore. The foodstore would sell predominantly convenience goods at 80% of the sales area and limited comparison goods such as seasonal and promotional goods occupying 20% of the sales floorspace.

The assessment of the retail policy implications of the proposed Aldi store has been informed by a household survey of shopping patterns, an up-to-date assessment of the health of Ruthin Town Centre and consideration of potential alternative sites within and on the edge of Ruthin Town Centre as part of the sequential assessment.

The assessment concludes that there is a need for the proposed development, both in quantitative and qualitative terms, that there are no available and suitable sequentially preferable sites and there will not be any significant adverse impact on the vitality and viability of Ruthin Town Centre.

Employment Assessment

The Assessment confirms the site lies within an area allocated for employment use within the LDP. Policy PSE 2 supports development of Class B1, B2 and B8 uses within employment areas.

The proposal is a hybrid application seeking full planning permission for a food store, employment unit and enabling access to the broader employment site which is submitted as an outline application. The proposal shows 68% of the site would be developed for Class B1, B2 and B8 uses and the remainder of the site for retail use. Whilst not within Class B use, it is argued by the applicant that nonetheless this generates significant employment in its own right.

Officer assessment

In respect of the planning policy context, Policy PSE 3 seeks to protect employment land and buildings and only offers support for proposals which would result in the loss of such land and buildings where strict tests can be met:

- where there are no other suitable sites available for the development;
- where there is evidence of a continuous marketing process of 1 year alongside practical attempts to retain the employment use and where the premises are no longer capable of providing an acceptable standard of accommodation for employment purposes;
- where there is evidence that the loss of the site/premises would not prejudice the ability of an area to meet a range of employment needs, or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site.

In relation to test i) of Policy PSE 3, a detailed sequential assessment has been undertaken as required by retail policy (outlined above) and it is considered that this test has been satisfied.

In relation to test ii) of Policy PSE 3, the application site has been proactively marketed as a whole extensively since 2014 and has received very limited enquiries with no formal offers submitted. The site was also allocated for employment purposes within the UDP with no interest. Given the length of time the site has been actively marketed, along with the previous development plan allocation and the lack of interest

shown from the market, it is considered that this test has been satisfied.

In relation to test iii) of Policy PSE 3, the proposal would result in the delivery of a Class B1/B2/B8 employment unit for which there is a demonstrated market demand and the opening up of the wider employment site by providing the main highway access, highway works and the first element of the internal estate road. The proposal also shows a 4m strip of land to the site boundary with Brickfield Lane available for transfer to the Council to facilitate highway improvement for existing businesses in the area.

A draft Unilateral Undertaking (UU) has been submitted to include reference to the Brickfield Lane improvements, and a commitment by the developer to deliver the first phase of employment units along with highway and services to the remaining employment site, in conjunction with the foodstore development. It is therefore concluded that the proposal supports the potential of the area to meet existing and future employment demand, consistent with the final policy test.

In conclusion it is considered that the tests of Policy PSE 3 are satisfied. The Council's Strategic Planning and Housing Officer has no objection to the proposals. Economic and Business Development Officers fully support the proposal for a new foodstore and employment units and consider the proposal would provide significant benefits.

The proposed development would result in the majority of the allocated site being brought forward for employment purposes in line with the site allocation in the adopted LDP. The proposal is therefore considered acceptable in principle.

4.2.2 Visual amenity including landscape impact

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

There are no representations raising visual amenity concerns other than comments relating to the boundary treatments and whether they are appropriate near the farmers' market.

The site is located on the approach to the historic market town of Ruthin in a relatively prominent location on the edge of the town. The site is approximately 2.5km outside the boundary of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) however the development would be visible in middle distance views from the higher ground of the Clwydian Range to the east. The AONB Advisory Committee have been consulted and have not raised an objection to the proposal, noting the site is allocated for business development in the LDP and, when viewed from the AONB, will appear as minor infilling of the existing developed area of the

town. In this context, the committee considers the impact on the AONB to be minimal and has no objection in principle to the application. General comments have also been provided in relation to materials, landscaping and lighting.

The full application element of the proposals includes full design details of the foodstore and employment unit fronting the A525. The remaining part of the employment site has been submitted in outline form with all matters reserved for further approval, however an indicative plan has been submitted with the application demonstrating how the site could be developed.

In relation to the detailed elements of the scheme, the foodstore and employment unit are modern buildings shown to be constructed of cladding in grey shades. The food store would have a lean to style roof and the employment unit would have a traditional pitched roof. The design approach adopted is considered acceptable.

Detailed landscaping plans have been submitted with the proposal which are considered appropriate and would enhance the appearance of the development and surrounding area.

In relation to the specific concerns regarding the fencing along the boundary with the farmers market, the applicants have advised that the proposed timber fence would be robust and there is already a post and wire fence and hedgerow which belongs to the farmers market that will not be removed, hence no further enhancement is considered necessary, particularly as there are no problems with the current fencing

Having regard to the design, siting, scale, massing and materials, in relation to the character and appearance of the locality and landscape, it is considered the proposals would not have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc..

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The residential amenity impacts of a development proposal are a material consideration.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

There are no representations raising residential amenity concerns.

There are no residential properties immediately adjacent to the development site, Golf Links Farm is the closest property to the site on the opposite side of the A525 and is located in excess of 100m away.

There are not considered to be any residential amenity impacts arising from the development.

4.2.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment.

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 6.4), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable. Planning Policy Wales also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The ecological impacts of development should therefore be regarded as a potential material consideration.

There are no representations raising concerns relating to ecological impacts.

Ecological Assessments have been undertaken and submitted with the application along with a light spillage scheme following a request by NRW and the Council's ecologist.

Having reviewed the proposals and submitted information, neither NRW nor the Council's Ecologist raise any objections to the proposal subject to the inclusion of planning conditions to ensure the development is undertaken in accordance with the recommendations and mitigation set out within the assessments.

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.

Planning Policy Wales confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration.

Planning Policy Wales (PPW 10) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

Planning Policy Wales (PPW 10) Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed. TAN 15 advises that in areas which are

defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event.

There are representations submitted seeking assurances that the drainage methods proposed are adequate to deal with the proposed development.

A very small part of the proposed open space area in the north east corner of the site is within a Flood Zone C2 with the remaining site in a Zone B which is at a low risk area of flooding within the Development Advice Maps accompanying TAN 15 – Development and Flood Risk. A Flood Consequences Assessment, Drainage Assessment with infiltration test results have been submitted in support of the application.

A package treatment plant is proposed to deal with foul sewage from the site with soakaways to deal with surface water drainage.

Dwr Cymru Welsh Water (DCWW) have raised no objection to the drainage proposals. NRW have raised no objection to the proposal in relation to the drainage arrangements and flood risk and are satisfied that the development would meet the requirements of TAN 15 provided the development is undertaken in accordance with the layout, finished floor levels and attenuation/storage of flood water within the contoured area. An Environmental Permit or requirement to register for an exemption with NRW will be required in relation to the discharge of effluent to ground or surface water, an advisory note to applicant is requested.

The Council's Flood Risk Manager has raised no objection to the proposed drainage Scheme. The surface water from the site will be discharged into a soakaway system and infiltration tests have been carried out on site to determine this is an adequate system. A Drainage Assessment has been submitted within the application. The development will be subject to the Sustainable Urban Drainage approval process.

With regard to the responses of the drainage consultees, it is not considered there are any flooding or drainage concerns here. A Flood Risk Assessment with Drainage Assessment have been submitted with the application and no objections have been raised to these by NRW, DCWW or the Council's Flood Risk Manager.

4.2.6 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require 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. The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments

These policies reflect general principles set out in Planning Policy Wales (PPW 10) and TAN 18 – Transport, in support of sustainable development.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the

neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

There are a small number of representations raising concerns over the highway impacts of the development, with reference to children walking in to Ruthin from Rhewl having to cross 3 busy junctions.

Highway Officers have assessed the application and information submitted in respect of the capacity of the existing local highway network, accessibility, access arrangements, site layout and parking. No objections have been raised in relation to the proposal. Conditions are suggested in relation to detailed aspects of the proposals and standard construction method arrangements.

A Transport Assessment has been submitted with the application. The site access off the A525, Ruthin Northern Link Road and Denbigh Road roundabout have been assessed, which has shown that the junctions would operate within acceptable capacity limits during peak times and the development would not have a material impact on the operational capacity of the local highway network.

The site is adjacent to the footway/cycle path that links Ruthin to Rhewl and as part of the scheme bus stops are to be provided on the A525 with suitable crossing points. A direct link for pedestrians and cyclists was requested from the A525 into the proposed Aldi car park however because of level differences this is unachievable but the new road provides a footway/cycle link to the store. In conclusion the store is considered accessible to pedestrians, cyclists and users of public transport.

The general layout of the proposed site access arrangements demonstrate compliance with the visibility standards set out in TAN 18 and the submitted site plans illustrate a newly formed ghost island (right turn lane) along with associated highway works which includes relocating the existing speed limit, associated street lighting and road markings to encompass the full site frontage. Having regard to the details provided and guidance identified above, it is considered that the on-site highways arrangements are acceptable.

The proposed parking arrangements are compliant with the standards set out in the Parking Supplementary Planning Guidance Note and are therefore considered acceptable.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The principle of the development is considered acceptable in this location. The proposed development would result in the majority of the application site being brought forward for employment purposes in line with the site allocation in the adopted LDP.
- 5.2 It is not considered that there would be any adverse localised impacts in relation to visual or residential amenity, subject to imposition of suitable conditions. In highways and drainage terms the proposal is considered acceptable.
- 5.3 It is considered with regard to responses from specialist consultees, that the proposal is acceptable in relation to relevant detailed policy and local impact considerations.

It is therefore recommended that Members resolve to grant planning permission subject to:-

1. The completion of a suitable agreement under Section 106 of the Planning Act to ensure the delivery of the employment units, associated highway and infrastructure improvements to service the remainder of the allocated employment land in conjunction with the development of the foodstore.

The precise wording of the agreement would be a matter for the legal officer to finalise. In the event of failure to complete the agreement within 6 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

2. Compliance with the conditions listed below.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than INSERT DATE (Completion date of legal agreement)
2. Approval of the details of the appearance, layout, scale, landscaping and access (hereinafter called "the reserved matters") of the outline element of the application (namely the development of Class B1/B2/B8 employment units) shall be submitted to and approved in writing by the Local Planning Authority before development of each unit begins.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
 - (i) Location plan (Drawing No. 13850-100B) received 7 June 2019
 - (ii) Existing site plan (Drawing No. 13850-101C) received 7 June 2019
 - (iii) Proposed site plan (Drawing No. 13850-102G) received 7 June 2019
 - (iv) Proposed phasing site plan (Drawing No. 13850-109E) received 7 June 2019
 - (v) Proposed ALDI GA Plan (Drawing No. 13850-103B) received 7 June 2019
 - (vi) Proposed ALDI Elevations (Drawing No. 13850-104B) received 7 June 2019
 - (vii) Proposed ALDI Roof plan (Drawing No. 13850-105B) received 7 June 2019

- (viii) Proposed ALDI roller shutter (Drawing No. 13850-106B) received 7 June 2019
- (ix) Proposed sub station (Drawing No. 13850-108C) received 7 June 2019
- (x) Proposed Employment Unit 1 GA Plan (Drawing No. 13850-110B) received 7 June 2019
- (xi) Proposed Employment Unit 1 Elevations (Drawing No. 13850-111D) received 7 June 2019
- (xii) Proposed Employment Unit 1 Roof Plan (Drawing No. 13850-112B) received 7 June 2019
- (xiii) Proposed boundary treatment (Drawing No. 13850-107E) received 7 June 2019
- (xiv) Ruthin CGI (Drawing No. 13850-01C) received 7 June 2019
- (xv) Ruthin CGI (Drawing No. 13850-02A) received 7 June 2019
- (xvi) CTM management Construction Management Plan Revision 0 August 2019 and associated plan received 16 August 2019.
- (xvii) Car park lighting (SC-C Drawing No. 5552/G/102) received on 27th July 2019

GENERAL CONDITIONS

6. The total gross internal floorspace of the foodstore hereby permitted shall not exceed 1786 sq metres including, for the avoidance of doubt, any mezzanine floorspace.
7. No more than 20% of the sales area shall be used for the sale of comparison goods.
8. The foodstore shall not be open for customers outside the hours of 08:00hrs and 23:00hrs Monday to Saturday and a six hour period between 10:00hrs and 18:00hrs on Sundays.
9. 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.
10. No external sound amplification systems or the playing of music shall be permitted at any time outside the foodstore.

Local Employment Strategy

11. **PRE -COMMENCEMENT CONDITION**
Prior to the commencement of any development, a Local Employment Strategy, containing details of measures which contribute to the promotion of local employment and training in association with the development, shall be submitted to and approved by the Local Planning Authority. The Local Employment Strategy shall be implemented in accordance with the approved details.

Highways

12. The foodstore (Phase 1) shall not be open for trade until full details of the internal estate road, vehicular access, ghost island, and associated highway works as indicated on the approved plans including the detailed design, layout, construction, visibility splays, street lighting, signing, drainage, bus stops and the repositioning of the existing speed limit have been submitted to and approved in writing by the Local Planning Authority. The works as approved under this condition shall be completed in accordance with the approved plans before the store is open for trade.
13. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles for the foodstore and employment unit as indicated on the approved plan, and shall be completed prior to the uses commencing.

Ecology

14. The development shall be carried out in strict accordance with the recommendations set out in Section 9.2 of the Ecological Report (Document Reference: 2493622 received on 12/06/2019) in respect of badger avoidance measures.
15. The development shall contain provision for roosting bats and nesting birds, in line with recommendations made in section 9.3 of the Ecological Report (Document Reference: 2493622 received on 12/06/2019).

Landscaping

16. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the completion of the development to. Any trees or plants which within a period of 5 years from the completion of the development 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 otherwise agreed in writing.
17. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
18. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the final phase of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.

Lighting

19. No external lighting other than that shown on the SC-C Drawing No. 5552/G/102 received on 29th July 2019 shall be installed without the formal written approval of the Local Planning Authority to the detailing of the proposed lighting. The approved scheme shall be implemented strictly in accordance with the approved details.

Materials

20. The cladding to be used on the external walls of the building shall be:
 - KINGSPAN KS1000MR METALIC SILVER 9006 CLADDING (Micro Rib)
 - KINGSPAN KS1000MR ANTHRACITE GREY 7016 CLADDING (Micro Rib)Unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990
4. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
5. For the avoidance of doubt and to ensure a satisfactory standard of development.
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.
7. To protect the viability and vitality of the town centre.
8. In the interest of amenity.
9. In the interest of amenity.
10. In the interest of amenity.
11. In the interest of protection and enhancement of local employment.
12. 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.
13. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
14. In the interests of nature conservation.
15. In the interests of nature conservation and enhancement.

16. In the interest of visual amenity.
17. In the interest of visual amenity.
18. In the interest of visual amenity.
19. In the interest of visual amenity. and to ensure an appropriate fence is erected along the boundary with the Livestock Market field
20. In the interest of visual amenity .