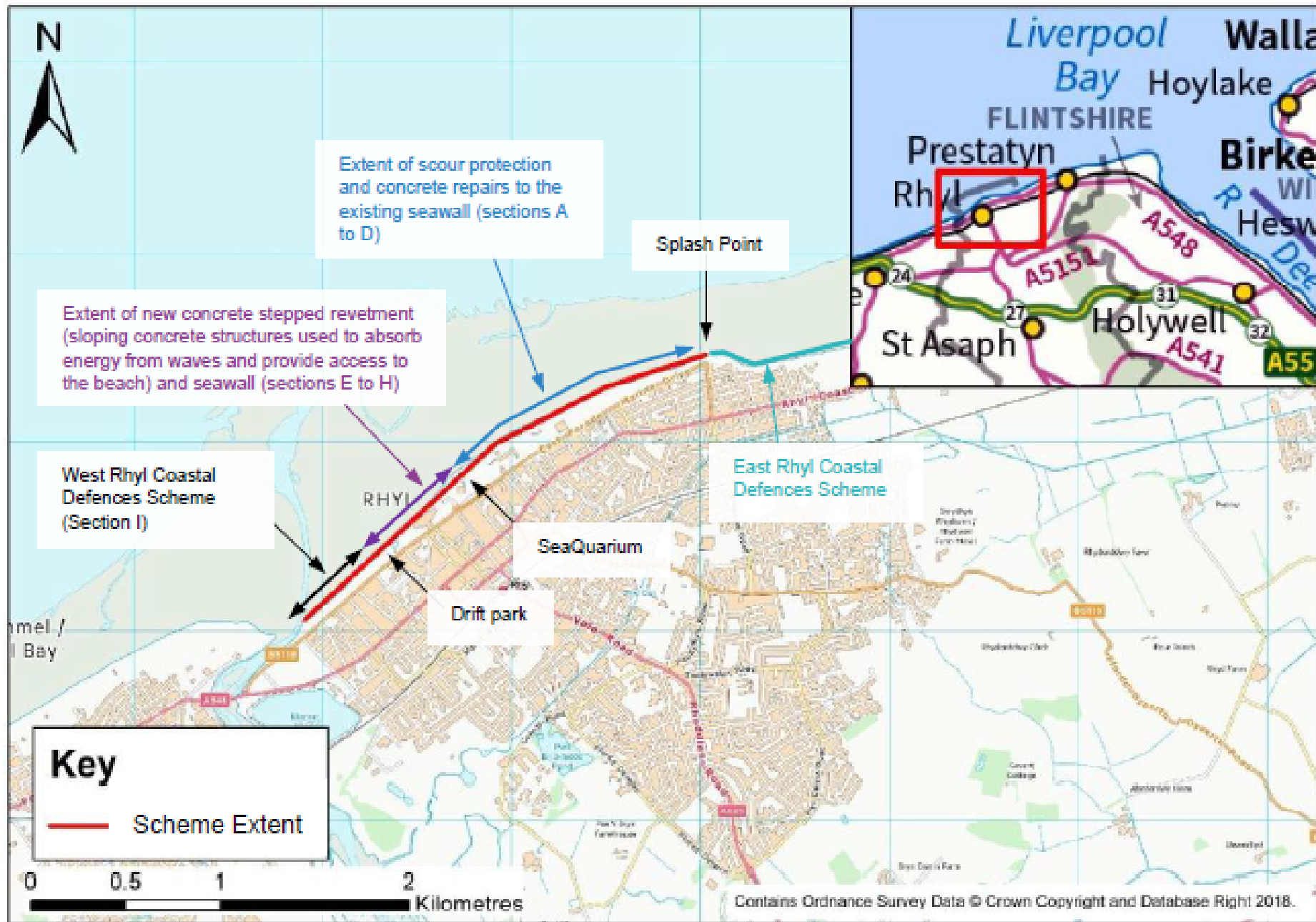


Figure 2.1: Scheme Location



Source: Central Rhyll Coastal Defence Scheme Outline Business Case (OBC), DCC, October 2019. Additional annotations Mott MacDonald Ltd 2021

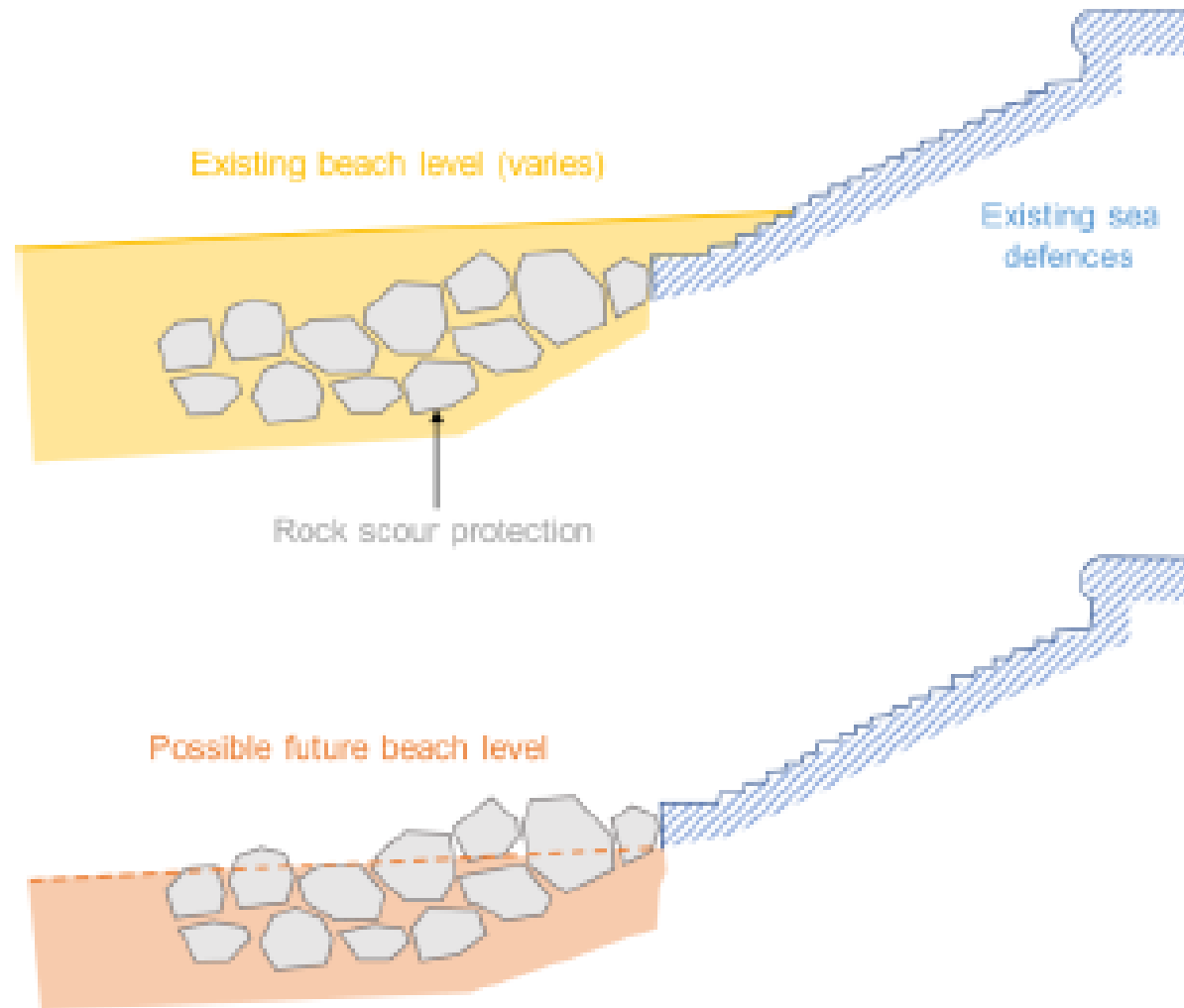
Figure 1.2: Deteriorating defence condition along the Rhyl frontage



Source: Mott MacDonald Ltd, 2021

Condition of existing coastal defences

Figure 3-2 Typical cross-section of the proposed rock scour protection



Source: Mott MacDonald, 2021

Proposed rock scour protection (eastern section from Splash Point to SeaQuarium):

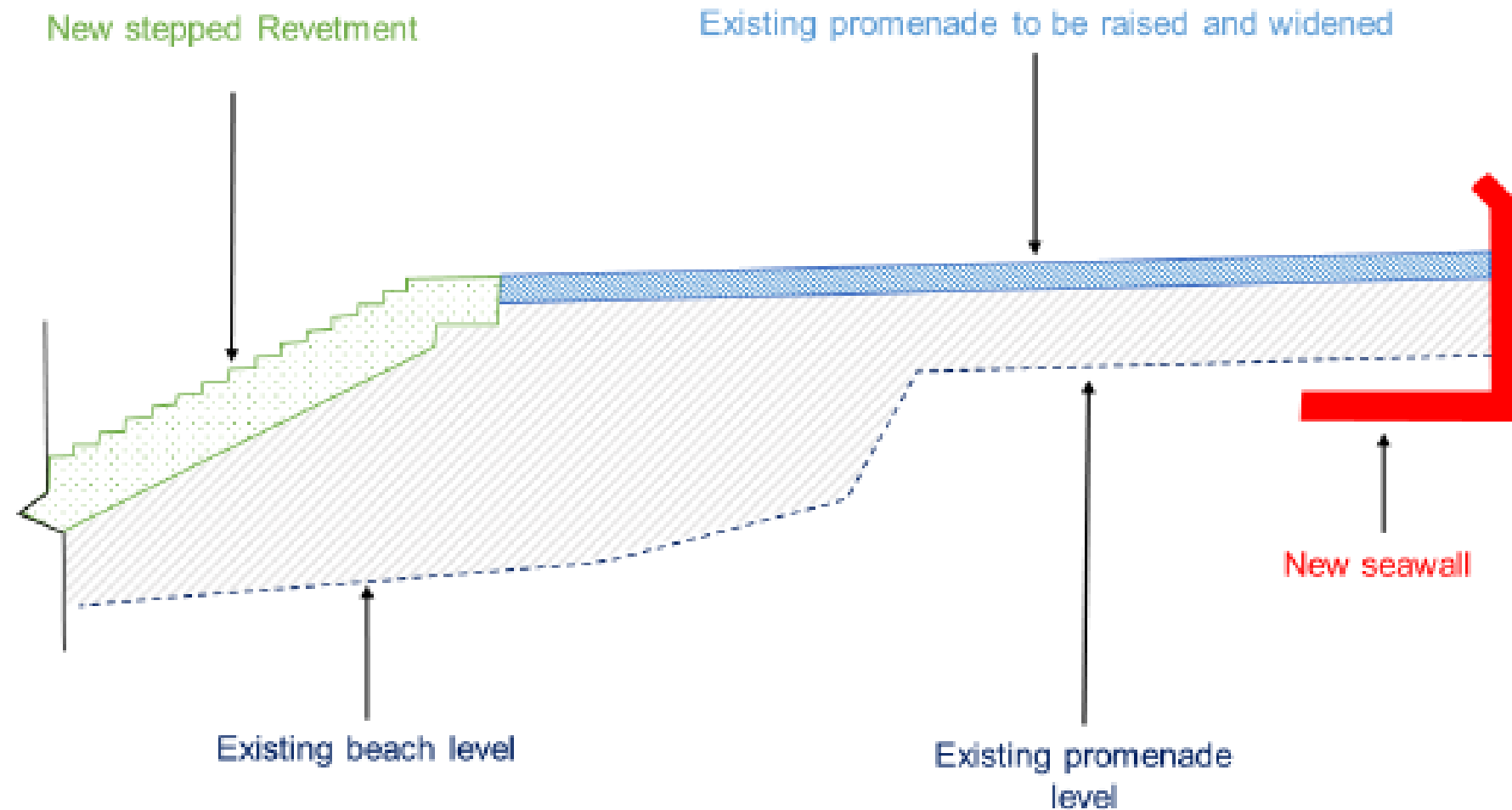
Figure 3-3 Visualisation for proposed rock scour protection (with possible future beach level)



Source: Balfour Beatty, 2021

Proposed rock scour protection (eastern section from Splash Point to SeaQuarium):

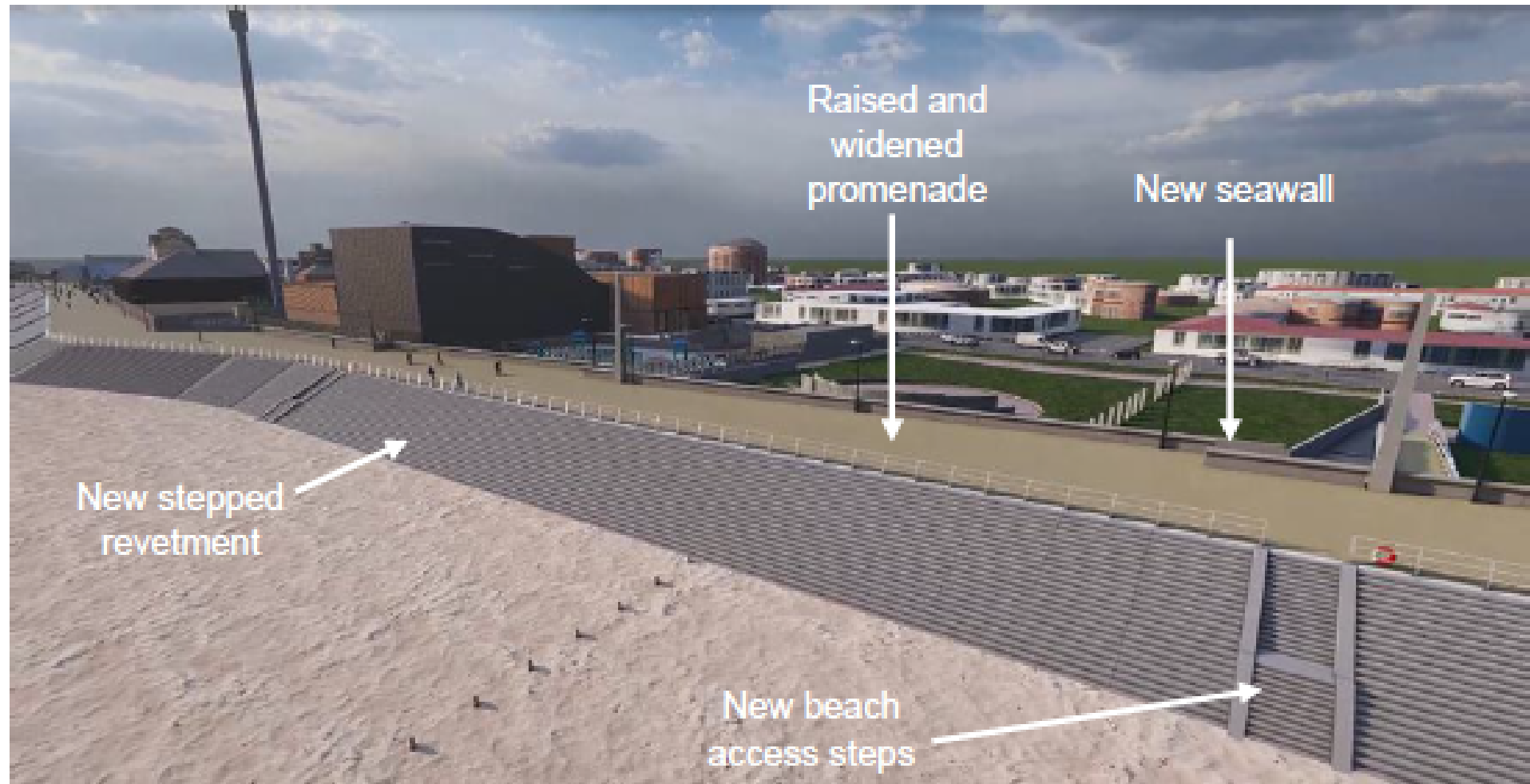
Figure 3-4 Typical cross-section of the proposed stepped revetment, raised and widened promenade and new seawall



Source: Mott MacDonald, 2021

Proposed new concrete stepped revetment, raised and widened promenade and new seawall (western section from SeaQuarium to Drift Park)

Figure 3-5 Visualisation for the proposed stepped revetment and wider promenade opposite Drift Park and SC2



Proposed new concrete stepped revetment, raised and widened promenade and new seawall (western section from SeaQuarium to Drift Park)



New East Rhyl coastal defences (rock revetment) at Splash Point



Existing prom & defences (east near Splash Point)



Existing promenade & defences



Existing promenade and defences



Existing promenade and defences



Existing promenade and defences



Existing promenade and defences



Existing promenade and defences



Existing promenade and defences



Existing promenade and defences



Existing promenade and defences



Existing promenade and defences



West Rhyl Coastal Defences (ramped & rock revetment)

WARD : Rhyl West and Rhyl West

WARD MEMBER(S): Cllr Joan Butterfield & Cllr Alan James (c) (Rhyl West)
Cllr Justine Evans & Cllr Barry Mellor (Rhyl East)

APPLICATION NO: 45/2022/0271/ PF

PROPOSAL: Construction of coastal protection scheme, incorporating; new sea wall, repair works and engineering operations including scour protection to existing sea wall. Installing new concrete step revetments. Raising and widening of promenade including new and amended accesses, landscaping and associated works. Ecological mitigation and access works at Barkby Beach

LOCATION: Central Rhyl Coastal Defences Scheme Rhyl

APPLICANT: Denbighshire County Council Mr Wayne Hope

CONSTRAINTS:

PUBLICITY Site Notice - Yes

UNDERTAKEN: Press Notice - Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL:

No objections.

CONWY COUNTY BOROUGH COUNCIL:

No objections, but requests that restrictions are included on delivery times, in order to mitigate the impact of construction traffic on the residents of Kinmel Bay.

NATURAL RESOURCES WALES:

Recommends the imposition of a condition to satisfy concerns relating to Protected Sites, for reasons summarised below:

Protected Sites

NRW note the submission of the Report to Inform a Habitats Regulations Assessment (HRA) and are satisfied all of the relevant protected sites have now been included and assessed. NRW advise that the submitted Environmental Management Plan (First Iteration) (September 2021 Mott MacDonald) should form the basis of a detailed Environmental Management Plan (EMP) which should be secured by condition to ensure no adverse effects on the integrity of Liverpool Bay SPA, alone or in-combination with other plans or projects, which should be secured by condition.

Flood Risk

NRW Flood Risk Map confirms the site to be within Zone C2 and C1 of the Development Advice Map (DAM) contained in TAN15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 Sea. Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15.

NRW welcomes proposals to reduce flood risk to the town of Rhyl. The increased standard of protection in relation to sea flooding has been detailed in the Flood Consequence Assessment & it is noted that the West Rhyl Coastal defence work (section I) was completed in 2015 and that the East Rhyl works are nearing completion/have been completed.

The scheme will reduce the risk of flooding from the sea within the study area. Please be aware that Rhyl is also at risk from other sources such as from the river Clwyd estuary and fluvially from the Rhyl Cut.

The FCA indicates that visual condition surveys were carried out (of the existing defences) after the outline business case was made and that the defences were in a worse condition than initially assessed.

The scheme has been designed to limit overtopping rates (from waves) to less than 10 litres/second/meter and will give a standard of protection of 0.5% annual exceedance probability flood event (previously referred to as 1:200) for the year 2120.

NRW has commented on the values used for the FCA, but have confirmed they are satisfied with the values used.

The scheme includes 7 No. flood gates along the rear promenade wall. The gates (to enable beach access) will need to be closed prior to a storm event to ensure a continuous standard of defence is maintained. Thus, there should be a formal procedure written for the operation for these gates.

As stated in the FCA, NRW operates a flood warning scheme for the town of Rhyl. The monitoring point and NRW assessment of wave overtopping rates associated with triggering a warning is based on a section along this frontage. Therefore, prior to the completion of the scheme, NRW would need to review their triggers and procedures to consider the benefits of the scheme and ensure that any warning considered post completion will be accurate and meaningful for the recipients in Rhyl. NRW therefore advise the applicants (DCC) liaise with the NRW local Warning & Informing team to review.

European Protected Species

NRW have reviewed the ecological reports submitted and consider protected species surveys and assessments to have been satisfactorily carried out. NRW concur with the conclusions and recommendations.

Based on the information provided, NRW consider that the proposal would not be likely to be detrimental to the maintenance of any local populations of Protected Species at a favourable conservation status in its natural range.

Barkby Ecological Mitigation Area

Barkby Beach, which is designed as an enhancement area abuts on to Dee Estuary SAC/Ramsar/SPA and Gronant Dunes and Talacre Warren SSSI and is approx. 70m away from the Liverpool Bay SPA.

The outline described in Barkby Ecological Mitigation Area Report include positive steps for nature conservation appropriate for a sand dune habitat at this location. NRW are supportive of the aims of the enhancement area..

NRW advise a planning obligation (Section 106 Agreement/Unilateral Undertaking) in entered in respect of ecology.

DWR CYMRU / WELSH WATER

The proposed development site is crossed by a public sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Request conditions are imposed to prevent surface water discharge to the mains sewer.

CLWYD POWYS ARCHAEOLOGICAL TRUST

Initial consultation response:

ES Vol. 2 Technical Appendix 7 (Historic Environment) avoidance of the exposed prehistoric tidal flat deposits (peats) MM13 together with later features MM10, MM14, MM15, MM16 is mentioned, but it is not stated how this will be achieved (a marked exclusion zone with temporary barrier fencing would be preferable) to prevent accidental damage by tracking vehicles using the beach during construction. A detailed methodology for the mitigation should be stated for all of these features. If they cannot be adequately protected, then further archaeological intervention may be required. The applicant should comment as soon as possible on this requirement and offer a solution which is supported by a condition and WSI before the application is determined.

The subsequent cultural heritage mitigation section of the ES (Vol.2 Appendix 7, 10 and 10.2) clearly states that it would be appropriate to assess the geo-archaeological potential of the beach deposits in advance of development to inform the application process and CPAT would advise that this needs to be completed before the application is given permission.

The geo-archaeological assessment methodology would need to be confirmed by a specialist in this field, and a WSI (written scheme of investigation) document for this assessment would need to be agreed with CPAT in advance of archaeological works commencing.

Re-consultation response:

Following on from previous advice CPAT realised that the pre-determination geo-archaeological assessment of the foreshore in the area of the deepest sea defence construction works has actually been agreed with a WSI document approved. This pre-determination work is actively being progressed. The results of the geo-archaeological assessment will be used to suggest further mitigation if it is required by the geo-archaeologist and this would be completed as a condition of any consent. On receipt of the geo-archaeologists report CPAT will be in a position to say whether a subsequent condition is required or not.

With regard to the avoidance of the exposed prehistoric tidal flat deposits (peat and tree remains) MM13 together with later features MM10, MM14, MM15, MM16 MottMacdonald have agreed to provide a more detailed statement on how these features will be protected along with a plan showing the proposed vehicle tracking and rock dumping areas on the foreshore in relation to these features.

Further re-consultation response:

CPAT advised they have been on dialogue with the applicant's archaeological consultants, and while it is always better to gather information for potential mitigation at the pre-determination stage, CPAT recognise the time constraints for the project, and agree that condition further assessment can be secured by pre-commencement condition rather than pre-determination in this instance;

The condition should facilitate a scheme of geo-archaeological investigation and subsequent mitigation as a condition of consent and CPAT have suggested a condition to be imposed.

THE COAL AUTHORITY

No objections. The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area.

NORTH WALES POLICE

No comments to make.

FIRE AND RESCUE SERVICE

No observations.

HEALTH BOARD

Health Board have no grounds for objection based upon the public health considerations contained within the application and provided the proposed construction work adopts the

current sector guidance and BAT (best available techniques). Support the overall scheme in making outdoor spaces and places accessible to all which supports both physical and mental well-being in addition to mitigating the future effects of climate change.

Comments made from a public health risk assessment during construction are below:

- Encourage that noise and vibration levels are carefully managed to avoid impacts on local sensitive receptors, as much as possible.
- Support the use of a CEMP throughout the construction period and to investigate any complaints made including any further mitigation measures employed.
- Agree that a Flood Risk Management Plan should be implemented during the construction-phase to reduce risk as much as possible
- Support minimisation of dusts at all stages of construction to avoid any nuisance or actual health effects resulting in irritation of the eyes, nose and throat. Again, any complaints made should be investigated and further mitigation measures employed where necessary.
- Any traffic measures in place should ensure that any negative impacts are not experienced elsewhere i.e. increases in air pollution

ESP UTILITIES GROUP LTD:

Advise they have plant in vicinity of the site.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety:

- Highways Officer:

No response received.

- Footpaths Officer:

The proposal as set out by the applicant on the site plan will impact on public access along the coast for the National Cycle Network route and the Wales Coastal Path which will be temporarily re-routed to follow existing highways running parallel to the development area. These routes are managed by Sustrans and NRW on behalf of the Welsh Government. Therefore, Footpaths Officer has no observations to make.

Public Protection Officer:

No response received.

Conservation Officer:

No response received

County Ecologist:

Happy with the proposal from a technical perspective, and that it mitigate the impacts of development within the site boundary, and the offsite enhancement will demonstrate the net benefit to biodiversity required.

The ongoing management and maintenance of the enhancement area in perpetuity would need to be funded by the project.

Flood Risk Officer:

Advised the proposal would be subject to the Sustainable Urban Drainage approval process, and surface water drainage requires separate approval from the SuDS Approval Body.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

David Rowlands, Apartment 7 83-84 West Parade, Rhyl

Summary of planning based representations in objection:

Impact of construction works on residential / public amenity:

Construction working times Mon – Fri 7am – 7pm are unreasonable. Should reflect normal working hours e.g. 8am-6pm as noise at 7am is not reasonable to local residential.

Plans do not reflect the recreational aspect of the sea wall and what mitigation is in place during works.

Neither in support nor objection

Representations received from:

Laister Planning Ltd on behalf of SeaQuarium of Rhyl Ltd

Summary of planning based representations in support:

Do not objection to the principle of the proposal, but consider application has been rushed without apportioning sufficient time to allow for appropriate consideration of potential impact on environmental, social and economic impacts.

Raise concerns regarding the impact of construction works on adjoining SeaQuarium business - construction will last up to two and a half years, which would have significant adverse impact on the business and health and wellbeing of animals at the site.

Particular concern relates to the potential impact of the proposed development, including vibration, noise and dust impact on animals housed at the SeaQuarium, in particular seals.

The construction works will be at low tide, which means works may be carried out at night, which would interrupt sleep. In the wild, seals would move away from noise disruption, but this is not an option for seals housed at the SeaQuarium. Concern that seals would become stressed and aggressive.

Other species may be vulnerable to pollution and dust from the construction works.

Consider only acceptable mitigation would be for seals to be re-housed during construction phase, and a temporary site for seals should be provided.

SeaQuarium is a major tourist attraction which contributes to the visitor economy and should be safeguarded.

EXPIRY DATE OF APPLICATION: 25/05/2022

EXTENSION OF TIME AGREED: 13/07/2022

REASONS FOR DELAY IN DECISION (where applicable):

- delay in receipt of key consultation response(s)
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

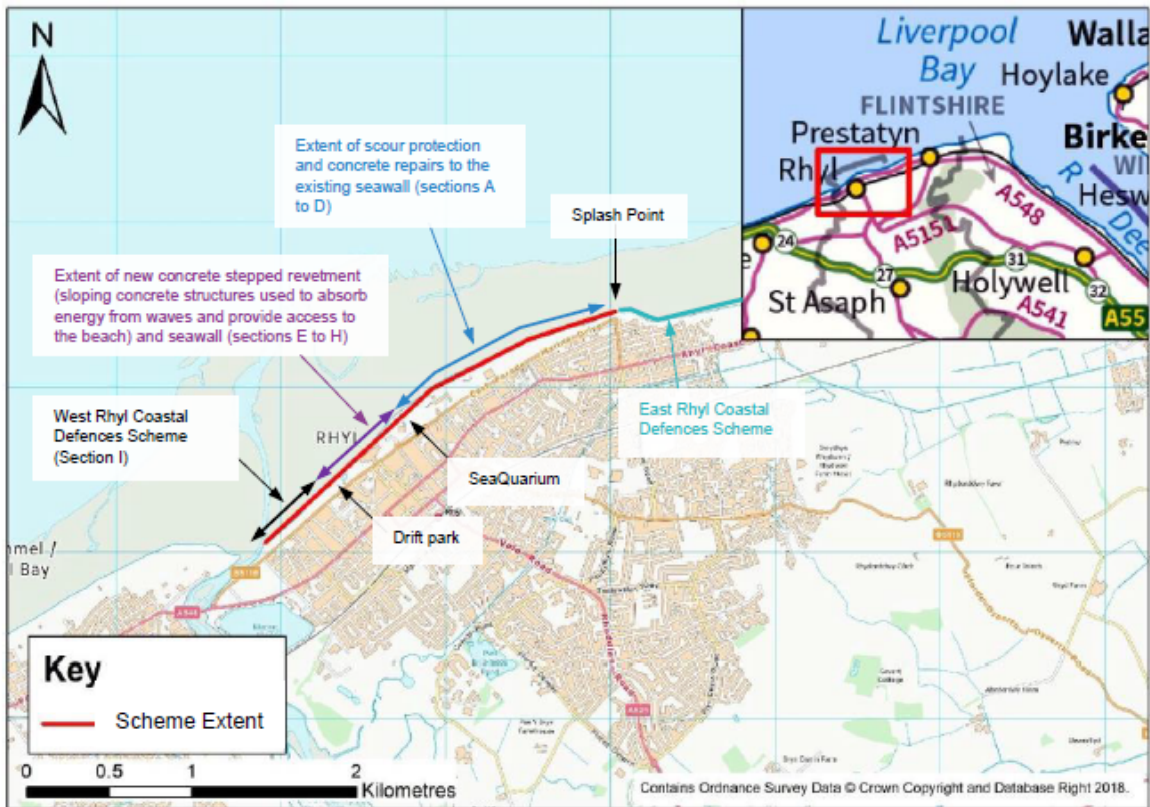
1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is a coastal flood defence scheme to protect Central Rhyl from tidal flood risk, referred to as the 'Central Rhyl Coastal Defence Scheme'.
- 1.1.2 The Design and Assessment Statement (DAS) states Central Rhyl has been protected from coastal flooding by hard engineered defence structures constructed from at least the 1900s. The existing defences no longer meet acceptable performance standards and are known to be deteriorating. The existing promenade can become inundated during storms, causing flooding of the promenade and surrounding areas, which will be exacerbated by the future effects of climate change, which is predicted to increase both the frequency and magnitude of flooding.

- 1.1.3 The proposal aims to improve the existing coastal defences to provide increased flood and erosion protection to people and property in Rhyl.
- 1.1.4 The scheme involves:
- The construction of approximately 1.45km of scour protection and concrete repairs, from Splash Point to the SeaQuarium. The scour protection will consist of boulders being placed at the base of the existing coastal defence structures;
 - The construction of approximately 750m of new concrete stepped revetment, from the SeaQuarium to opposite Drift Park.
 - New pedestrian beach accesses through the proposed concrete stepped revetment to replace the existing ones and extension of existing beach accesses through the rock scour protection.
 - The extension of outfalls and protection works to existing outfalls that would be covered by the new revetment.
- 1.1.5 The Scheme also includes the following works to the promenade:
- Raised promenade from the SeaQuarium to opposite Drift Park. The promenade raising varies along the promenade up to approximately 1.5m in places.
 - Widening of the promenade to a minimum of 10.1m.
 - New sea defence walls along the back of the promenade from the SeaQuarium to opposite Drift Park.
 - New flood gates for access points through the new sea defence walls between the SeaQuarium and opposite Drift Park.
 - New retaining structures where appropriate at the back of the promenade between the SeaQuarium and opposite Drift Park, to accommodate level differences between the raised promenade and adjacent land.
 - New ramps or steps to provide access to raised promenade between the SeaQuarium and opposite Drift Park.
- 1.1.6 The Scheme requires the loss of some 20,000m² of intertidal sand. To mitigate the loss, an area for ecological mitigation near Barkby Beach is proposed. The measures proposed at the Barkby Ecological Mitigation Area include:
- Establishment of a dune grassland buffer;
 - Creation of a wildflower meadow;
 - Creation of a natterjack toad pilot area and installation of fencing around it;
 - Installation of information boards;
 - Formalisation of access across the site, including disabled access.
- 1.1.7 Ecological enhancement measures are also proposed in an offsite enhancement area to demonstrate a biodiversity net gain.
- 1.1.8 The plan below shows the location of the development (taken from the Environmental Statement non-technical summary):

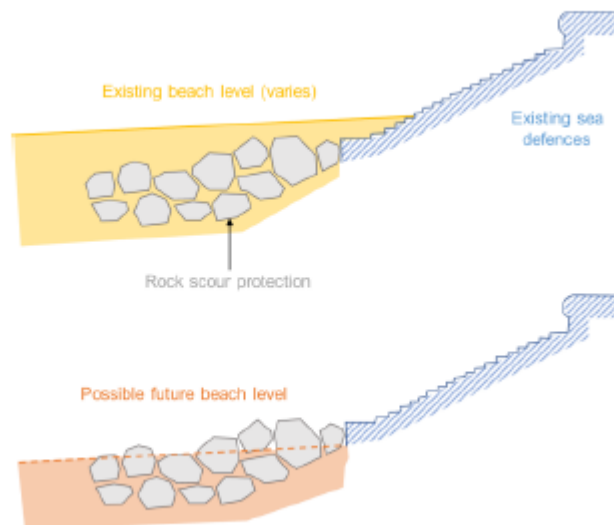
Figure 2.1: Scheme Location



Source: Central Rhyll Coastal Defence Scheme Outline Business Case (OBC), DCC, October 2019. Additional annotations Mott MacDonald Ltd, 2021.

1.1.9 Visualisations for proposed rock scour protection (proposed in eastern section from Splash Point to SeaQuarium) are below:

Figure 3-2 Typical cross-section of the proposed rock scour protection



Source: Mott MacDonald, 2021

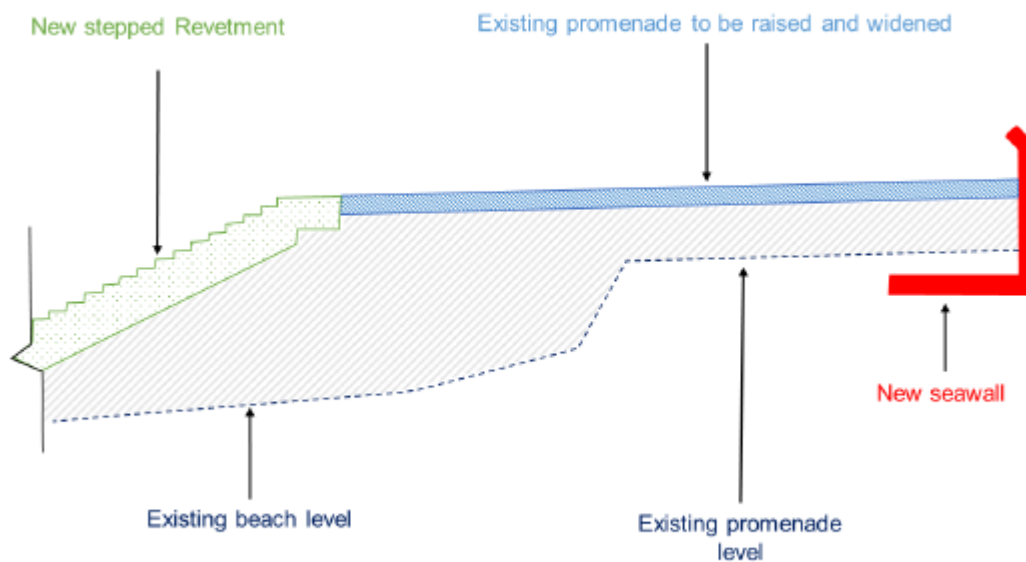
Figure 3-3 Visualisation for proposed rock scour protection (with possible future beach level)



Source: Balfour Beatty, 2021

1.1.10 Visualisations of proposed new concrete stepped revetment, raised and widened promenade and new seawall (proposed in western section from SeaQuarium to Drift Park) are shown below:

Figure 3-4 Typical cross-section of the proposed stepped revetment, raised and widened promenade and new seawall



Source: Mott MacDonald, 2021

Figure 3-5 Visualisation for the proposed stepped revetment and wider promenade opposite Drift Park and SC2

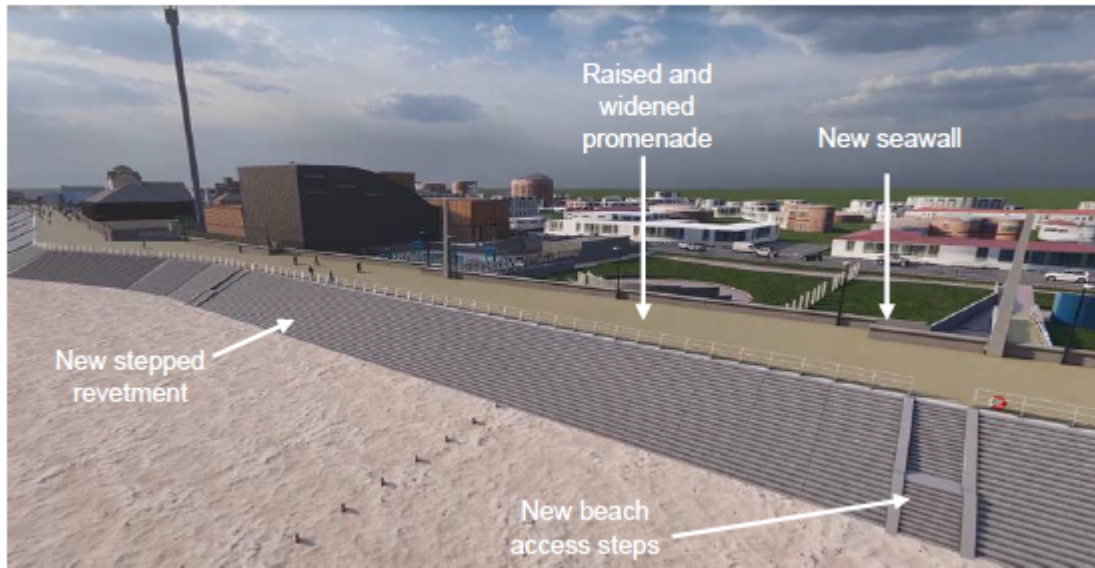


Figure 3-6 Visualisation showing comparison between the existing and proposed access from the High Street to the beach.



1.2 Other relevant information/supporting documents in the application

1.2.1 The proposal is Environmental Impact Assessment (EIA) development, and is accompanied by an Environmental Statement, which considers the environmental impacts of the proposal and includes the following topics:

- Historic environment;
- Biodiversity (marine and terrestrial);
- Climate
- Coastal processes, flood risk and coastal water quality;
- Landscape and visual;
- Materials;
- Noise and vibration;
- Population and human health;
- Other construction effects (air quality, traffic and transport, risk of major accidents and disasters); and
- Cumulative effects.

- 1.2.2 Other supporting documents include:
- Design and Access Statement.
 - Flood Consequences Assessment
 - Barkby Ecological mitigation Area Report
 - Transport Statement
 - Pre-Application Consultation Report.

1.3 Description of site and surroundings

- 1.3.1 The site includes the beach and promenade along the Rhyl coastal frontage from Drift Park in the west to Splash Point in the east.
- 1.3.2 An ecological mitigation area at Barkby Beach in Prestatyn is also included in the proposal (former pitch and putt).
- 1.3.3 The Scheme is located in close proximity to residential and business properties, the Royal Alexandra Hospital and a number of care homes.
- 1.3.4 The Wales Coast Path and National Cycle Route 5 run along the promenade within the site boundary.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site lies within the Rhyl development boundary, and is within the Tourism Coastal Protection Zone designated by the LDP.
- 1.4.2 The site is adjacent to Rhyl Town Centre and Conservation Area, and there are a number of listed buildings close to the site.
- 1.4.3 The promenade forms part of the North Wales Coastal Path promoted route.
- 1.4.4 The Liverpool Bay SPA lies offshore to the north of the site.

1.5 Relevant planning history

- 1.5.1 None of relevance to the current proposal.

1.6 Developments/changes since the original submission

- 1.6.1 Minor amendments to the scheme were made during the course of the application and amended plans have been submitted. Additional supporting statements have been submitted in response to public consultation responses.
- 1.6.2 The application has been subject to re-consultation.

1.7 Other relevant background information

- 1.7.1 NRW have advised that, in their view, a legal agreement should be entered into to secure long term management and maintenance of the offsite enhancement area.
- 1.7.2 However, as the Council is the applicant, legal advice has been sought on the mechanism to secure ecological enhancement. Legal Officers have advised that it is not possible for a unitary authority to enter into a Section 106 legal agreement with itself as such an agreement is unenforceable.
- 1.7.3 A Barkby Ecological Mitigation Area Statement has been submitted which confirms the following:
- The ecological mitigation and enhancement measures will only be carried out on land controlled by Denbighshire County Council (DCC);
 - The ecological mitigation and enhancement works would be carried out by DCC;
 - The works will be funded and long-term financial arrangements are to be put in place for the works via an internal DCC service level agreement.

1.7.4 In light of the above, Officers are satisfied that conditions would be sufficient to secure delivery of the enhancement measures on the offsite enhancement area.

2. DETAILS OF PLANNING HISTORY:

2.1 None of relevance.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy PSE1 – North Wales Coast Strategic Regeneration Area

Policy PSE13 – Coastal tourism protection zones

Policy VOE1 - Key areas of importance

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Conservation Areas

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Trees & Landscaping

Supplementary Planning Guidance Note: West Rhyl Regeneration Area

Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes:

TAN 5 Nature Conservation and Planning (2009)

TAN 11 Noise (1997)

TAN 14 Coastal Planning (1998)

TAN 15 Development and Flood Risk (2004)

TAN 18 Transport (2007)

TAN 24 The Historic Environment (2017)

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 11 (February 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of

the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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 / public amenity
- 4.1.4 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)
- 4.1.7 Archaeology

4.2 In relation to the main planning considerations:

4.2.1 Principle

Future Wales Policy 8 – Flooding states: *“Flood risk management that enables and supports sustainable strategic growth and regeneration in National and Regional Growth Areas will be supported. The Welsh Government will work with Flood Risk Management Authorities and developers to plan and invest in new and improved infrastructure, promoting nature-based solutions as a priority. Opportunities for multiple social, economic and environmental benefits must be maximised when investing in flood risk management infrastructure. It must be ensured that projects do not have adverse impacts on international and national statutory designated sites for nature conservation and the features for which they have been designated.”*

Future Wales states the Welsh Government favours nature-based flood risk management over engineered solutions wherever possible, working in harmony with aspirations to develop green infrastructure and to provide a net benefit for biodiversity. Flood risk management authorities and other developers of flood risk management infrastructure are required to maximise opportunities to develop multiple public benefits including improved public realm, active travel facilities and securing green infrastructure. Places in flood warning areas are considered at risk of flooding from rivers or the sea.

Planning Policy Wales at 6.6.28 states: *“New or improved flood defences in coastal and/or riverside locations should be carefully planned, ensuring all potential environmental effects, both on and off-shore, and relevant Shoreline Management Plan policies are taken into account. Flood defence works can provide opportunities to achieve wider social, economic and environmental benefits, which should be maximised where possible. Nature based solutions should be the first consideration given the opportunity to deliver other multiple benefits, including habitat creation, biodiversity*

enhancement and water quality improvements. Overall, green infrastructure opportunities can benefit ecosystem resilience and provide opportunities for leisure facilities or renewable energy generation.”

There are no specific policies in the LDP which relate specifically to coastal defence works, however Policy PSE 1 seeks to support proposals within the North Wales Coast Strategic Regeneration area which help to achieve the criteria set out in the policy.

The site lies within the Rhyl development boundary.

No representations have been received on grounds of principle.

The principle of new coastal flood defences is supported by Future Wales Policy 8.

The proposal is to improve the existing sea defences which is proposed to protect Central Rhyl for future tidal flood risk. Whilst the proposal put forward is an engineered solution, owing to the built up nature of the coastal frontage in Central Rhyl, a nature-based solution is not feasible in this instance.

The principle of the proposal therefore accords with national and local planning policy.

4.2.2 Visual 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 are matters relevant to the visual impact of development; test (iv) 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.

No representations have been received on visual amenity grounds.

The site is located in along the sea front, and is part of the Coastal Path network, and is in close proximity to the town centre, tourism attractions, businesses and dwellings along the frontage.

The Environmental Statement (ES) considers the impact on landscape character and visual amenity. The ES states the construction phase is likely to cause a temporary reduction in the scenic quality, physical condition, and tranquillity of the local landscape character along the Rhyl seafront area. This would result in a temporary significant reduction in the value of this landscape. In addition, pedestrians and visitors to the seafront and visitors to the beach side amenities would have views of the promenade raising and revetment work. This would result in the demolition and construction activities, along with site hoarding, being visible in these views resulting in a temporary significant reduction in the quality of these views in the short term.

This could be mitigated to some extent by screening or enclosing working areas using temporary hoardings, controlling vehicular access points, and careful consideration of construction and material storage and phasing of works. Such measures could be set out in a construction method statement, which can be secured by a planning condition.

Post construction the works would result in an increase in the height of the sea wall, raising and widening of the promenade and the additional rock armour revetment will alter the appearance of the foreshore as it would result in a loss of intertidal sand.

However, Officers consider the coastal frontage is already characterised by engineered sea defences in the form of sea wall, revetment and concrete promenade, and the character of the area would not necessarily change significantly, as the final appearance of the scheme would remain as coastline with coastal defences in situ.

On concluding on the landscape and visual amenity impact, the ES states, once completed, the proposal would likely improve the recreation value and the overall condition of the landscape character area and is not likely to significantly adversely affect the scenic quality of the area. Similarly, visual receptors are likely to see improvements to the condition and quality of views across the site. It is not anticipated that, once completed, the new works would result in significant adverse effects on the landscape character or visual amenity.

Overall, whilst the impact on landscape character and visual amenity during construction activities is considered to be temporarily significant, the harm is temporary and the level of harm arising from construction activities is not considered to outweigh the overriding benefits of the scheme in terms of flood risk betterment, and the resultant scheme is likely to give rise to visual improvements and increase recreational value, therefore it is not envisaged there would be any conflict with local or national planning policies in respect to the visual impact of the scheme.

4.2.3 Residential / public 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..

Public representations have raised concerns regarding hours of working and impact on local aquarium business, in particular the impact of construction noise and vibration on seals and other animals housed at the SeaQuarium.

No representations have been received from Public Protection Officers.

The ES considers the impact of noise and vibration and on population and human health. The conclusions on significant effects are summarised below:

Noise and Vibration:

Assessment of the effects of airborne construction noise, construction vibration, and indirect construction noise, due to increased volumes of traffic at all noise sensitive receptors has been carried out, which includes residential properties close to the construction works, businesses and heritage assets.

Significant effects from airborne construction noise:

The construction noise assessment has determined that the associated levels are expected to give rise to significant effects to a number of receptors include residential properties, businesses (Vue Cinema, SeaQuarium & Pavillion Theatre) and heritage assets (War Memorial Grounds). However, the ES states these effects would be temporary, and the predictions have been based on reasonable worst-case assumptions.

A number of mitigation measures have been proposed to reduce the effect from airborne construction noise. These include avoiding work during anti-social hours and barriers for providing noise screening.

Significant effects from construction traffic noise:

No significant effects are anticipated due to construction traffic noise.

Significant effects from construction vibration:

In terms of construction vibration, potential significant effect due to construction vibration arises when the resultant PPV reaches or exceeds 1.0 mm/s. Affected receptors identified are businesses (Vue Cinema and SeaQuarium).

Significant effects from underwater noise:

An assessment of marine noise has been completed, which concluded that there would be no significant effects anticipated from the scheme's construction.

Significant effects on SeaQuarium:

An assessment of underwater noise on the SeaQuarium has also been carried out and showed that there would be the potential for significant adverse effects on fish. In addition, an assessment of airborne noise on the seals has been carried out and this showed that there would also be the potential for significant adverse effects.

Mitigation to reduce these effects detailed within the ES, includes a monitoring programme and relocation of the most sensitive fish within the aquarium where necessary, together with outdoor noise barriers to control airborne noise. In both cases it is anticipated that this mitigation would reduce the effects so that they were no longer significant.

Population and Human Health:

The construction phase of the scheme would likely to cause temporary disruption to people using the beach and promenade for recreation due to reduced access, and would reduce the ability for people to walk, cycle, or undertake other recreational activities on the beach or on the water. The adverse effect on the promenade and beaches are proposed to be managed by planning construction activities to allow access to portions of the beach temporarily during the overall period of construction.

Temporary significant adverse amenity effects are also anticipated for the Royal Alexandra Hospital in relation to noise and visual effects.

Local businesses are likely to experience temporary significant adverse effects due to disruption to access and potential amenity effects, given the close proximity of the construction activity, which might result in reduced footfall.

In terms of the SeaQuarium, to accommodate mitigation for fish and seals, there is likely to be disruption to the SeaQuarium's business operations during construction. Additionally, due to the temporary closure of sections of the promenade adjacent to SeaQuarium and construction activity, there is likely to be a reduction in amenity and a temporary impact on footfall.

The demolition of five kiosks is required as part of the construction of the Scheme. This would have a permanent significant adverse effect on these businesses and their employees. For those businesses premises that would need to be demolished to enable the construction of the scheme, Denbighshire County Council, who own the buildings, would enter into discussions with the property tenants regarding what arrangements, if any, would be put in place during and following the construction phase of the Scheme.

Additionally, the loss of open recreational space (in the form of a children's play area) as a result of land requirements for the construction of the Scheme would result in large adverse effects on the provision of open space for children in Rhyl during the construction period. The feasibility of a replacement play area to be provided at a location suitably removed from the works is under consideration. Provision of land for any such alternative play area would need to be facilitated by the Council.

During the operational phase, the improved coastal protection would safeguard the community from coastal erosion and flood risk in the long term, having a significant permanent beneficial effect for businesses, community facilities, and residents.

A permanent beneficial effect would also be anticipated for the population close to the Barkby ecological mitigation area through the provision of the ecological and recreational improvements.

Conclusion:

The ES identifies temporary significant effects to residential property, businesses and heritage assets as a result of construction works.

Whilst it is noted the significant adverse effects could be mitigated through a range of measures, it has to be acknowledged that, even with mitigation measures in place, the proposal will still nevertheless adversely impact on residential and public amenity during the construction phase.

The potential for adverse impacts on residential and public amenity is a consideration to be given significant weight. However, Officers note the assessment is based on a worst case scenario, and due to the nature of the proposal, nuisance generating construction activities will not be continuously carried out throughout the construction phase, and accordingly activities which are likely to generate adverse noise could be strictly controlled and time limited to ensure residents aren't exposed to unacceptable noise levels of prolonged period of times.

Officers also note the significant adverse effects are temporary and would only occur during the construction phase, and would cease once the works have been completed.

Officers consider it necessary to impose conditions to control adverse impacts identified such as noise and vibration management, to ensure adverse impacts on local residents are carefully controlled and mitigated for as far as practical. Such details could be included in a Construction Method Statement to be secured by condition.

Whilst it is acknowledged the proposal has the potential to significantly adversely impact on the residential properties and businesses during the construction phase, such impacts would be temporary and controls can be applied through the application of necessary conditions to ensure details are embedded in a construction method statement which clearly sets out how adverse impacts are to be mitigated as far as practical, to ensure local residents, businesses and members of the public are not exposed to unacceptable noise or disturbance, or where such impacts are unavoidable, to ensure residents are not exposed to noise and disturbance for prolonged periods of time.

The construction activities therefore would adversely impact on residential and public amenity which is a matter to be given significant weight. However, the long term benefits of the scheme in terms of flood risk betterment would make a significant positive impact on the locality, but also on the residential amenity of individual properties as it would provide additional protection from coastal flooding, and accordingly the harm from construction activities is not considered to outweigh the overriding, strategic benefits of the scheme.

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 (PPW 11) Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG, 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 (PPW 11) sets out that "*planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity*" (Section 6.4.5). PPW 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. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

The Ecology Officer has confirmed he has no objection to the proposal, subject to controls being put in place to secure the offsite enhancement works.

NRW have raised no objection, subject to an Environmental Management Plan being secured by condition and the Barkby Beach mitigation and enhancement areas being suitable management and maintained.

The ES considers the impact on the proposal on ecological interests.

The key potential impacts from the Scheme during the construction phase, could cause damage to habitats, harm to animals and disturbance to birds, marine mammals and fish.

As mitigation, a Construction Environmental Management Plan (CEMP) is proposed to carefully control the construction phase to incorporate measures specifically to protect ecological features and minimise disturbance. NRW concur with this approach, and a CEMP can be secured by condition.

In the long-term, the operational phase will result in the area being more resilient to storms and require less maintenance when compared with the existing conditions, therefore reducing disruption to species and habitats.

A strip of intertidal sand would be lost as a result of the proposed development. To compensate for this, an area of land to the south of Barkby Beach in Prestatyn (previously used as a pitch and putt) has been identified for use as an ecological mitigation area. Mitigation measures in this area include habitat creation, pond creation, wildlife signage and improved accessibility of existing pathways to reduce disturbance to areas of ecological sensitivity.

Offsite enhancement measure are also proposed on land in control of the Council as the applicant which is put forward to deliver a net biodiversity gain.

Officers consider ecological mitigation and enhancement can be secured by condition,

Therefore, having regard to the findings in the ES and the imposition of conditions to secure a CEMP and ecological mitigation and enhancement, the proposal is considered to be in accordance with the policies listed above with respect to ecological interests.

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 11) 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 11) 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

NRW has raised no objection to the proposal on flood risk grounds.

The site is within Zone C2 and C1 of the Development Advice Map (DAM) contained in TAN15.

Having regard to the justification tests set out in TAN15 at para. 6.2, Officers consider the proposal is justified, as it is necessary to assist a local authority strategy to sustain an existing settlement; is previously development land; and the potential consequences of a flood event have been found acceptable.

The promenade is currently at risk of coastal flooding. During the Scheme's construction, there could be an increased risk of flooding along the frontage. To reduce the potential effects of this, a construction-phase Flood Risk Management Plan is proposed to be produced containing appropriate risk management measures.

The scheme has been designed to limit overtopping rates (from waves) to less than 10 litres/second/meter and will give a standard of protection of 0.5% annual exceedance probability flood event (previously referred to as 1:200) for the year 2120.

Once operational, the Scheme would have a permanent significant beneficial effect in reducing the current overtopping risk along the frontage and providing durability to the coastal defences in the longer term. The proposed scheme will reduce flood risk to 548 residential and 44 non-residential properties over the next 100 years.

Officers consider the requirement to produce a construction phase flood risk Management Plan can be contained in the Construction Method Statement which can be secured by condition.

Officers conclude that the proposal would result in a long term flood defence betterment, and sufficient safeguards to maintain flood defences during the construction phase can be controlled by condition, and therefore the proposal would enhance sea flood defences along the coast at Central Rhyl frontage. Accordingly the proposal is considered to be in accordance with the policies listed above.

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 11) and TAN 18 – Transport, in support of sustainable development.

No representations have been received raising objection on highway grounds.

The ES considers construction traffic and transport and a Transport Statement has been submitted with the application.

Traffic and Transport perspective, there would be no impact from the proposal during the operational phase.

During the construction phase, the ES concludes there would be a temporary short-term increase in traffic flows due to the delivery of plant and vehicles, rock, construction materials and construction vehicles as well as construction employee vehicles. The increases in flow however are calculated to be well below the 30% threshold for ES assessment and not likely to result in any discernible delays or congestion for highway users including bus services.

Construction vehicles movements (materials, goods, and workers) would be managed to minimise disruption to other road users. This includes use of the dedicated construction routes, as well as dedicated staff parking areas to reduce impact upon local communities. Severance impacts associated with road closures and closures to pedestrian routes including public rights of way and National Cycle Route 5 would be managed through the implementation of suitable temporary diversion routes.

Conditions can be imposed to secure a Construction Method Statement, to include details of construction traffic management and onsite parking.

Subject to the imposition of conditions, the proposal is not considered to result in adverse impacts on highway safety or the traffic, and the proposal is considered to be in general accord with the policies listed above.

4.2.7 Archaeology

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

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales (PPW 11), Section 6 'Distinctive and Natural Places' recognises the need to conserve archaeological remains. The consideration of archaeological remains and their setting is a material planning consideration in determining planning applications, whether those remains are a scheduled monument or not.

Section 4 of TAN 24 - The Historic Environment sets out similar considerations to be given by a Local Planning Authority to the determination of applications involving archaeological remains, and their settings. It outlines different scenarios obliging consideration of impacts and stresses the need for submissions to include relevant surveys, studies and assessments, and mitigation proposals.

CPAT initially advised that further archaeological assessment should be provided pre-determination. However, following discussions with archaeological contractors, CPAT confirmed that in this instance, the survey effort carried out to date is sufficient to enable the application to be determined, subject to a pre-commencement condition being imposed to secure a programme of geo-archaeological investigation and mitigation.

The ES considers impacts on the Historic Environment and identifies mitigation measures to offset adverse impacts identified.

Having regard to the conclusions of the ES with respect to the Historic Environment and the consultation response from CPAT, subject to the imposition of conditions, sufficient controls would put in place to avoid adverse impact on subsurface archaeology, and the proposal would be in general accord with the policies listed above.

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 proposal is for new coastal defences along the Central Rhyl Frontage from Splash Point in the east to Drift Park in the west. The proposal aims to improve the existing coastal defences to provide increased flood and erosion protection to people and property in Rhyl. The principle of the proposal is supported by national and local policy and the benefits of the scheme are to be afforded significant weight.

5.2 The proposal is a major infrastructure project and the construction phase would likely last up to three years, and therefore the impacts of the proposal during the construction phase need to be carefully considered. The construction phase has the potential to generate adverse impacts on local residents and businesses, in particular from construction noise and vibration. Significant effects on the SeaQuarium business have also been identified.

5.3 It is to be noted nuisance generating construction activities would not be continuously carried out throughout the duration of the construction period, and measures can be applied to mitigate or limit exposure to adverse effects in the interests of protecting residential amenity. Officers therefore consider it essential to ensure construction activities are controlled and mitigated for as far as practicable. Such control can be obtained through the imposition of a condition requiring the submission of a Construction Method Statement, to include details of

work programme and hours of operation, traffic management, noise and vibration management and pollution prevention and control measures.

5.4 The construction activities therefore would adversely impact on residential and public amenity and local businesses, which is a matter to be given significant weight. However, the long term benefits of the scheme in terms of flood risk betterment would make a significant positive impact on the locality, but also on the residential amenity of individual properties and businesses as it would provide additional protection from coastal flooding, and accordingly the harm from construction activities is not considered to outweigh the overriding, strategic benefits of the scheme.

5.5 In terms of flood risk, a flood consequences assessment has been provided. The proposal would result in a long term flood risk betterment. The promenade is currently at risk of coastal flooding, and during the Scheme's construction, there could be an increased risk of flooding along the frontage. To reduce the potential effects of this, a construction-phase Flood Risk Management Plan is proposed to be produced containing appropriate risk management measures. A construction Flood Risk Management Plan could be secured through the Construction Method Statement which is proposed to be subject of a planning condition.

5.6 Ultimately, the identified adverse effects from construction activities are not considered to outweigh the overriding, strategic benefits the scheme in terms of long term flood risk betterment and enhancement of climate change resilience, and subject to necessary conditions being imposed, the proposal is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 13th July 2027
2. 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) Red Line Boundary and Land Ownership 1of 2 (Drawing No. CR-MMD-00-00-DR-T-0104 Rev C02) - Received 27 May 2022
 - (ii) Red Line Boundary and Land Ownership 2of 2 (Drawing No. CR-MMD-00-00-DR-T-0105 Rev C01) - Received 14 March 2022
 - (iii) Promenade Structures General Arrangement (Drawing No. CR-MMD-00-XX-DR-SP-6001 Rev C05) - Received 27 May 2022
 - (iv) Coastal Structures General Arrangement 1 of 2 (Drawing No. CR-MMD-00-ZZ-DR-SC-7001 Rev C04) - Received 14 March 2022
 - (v) Coastal Structures General Arrangement 2 of 2 (Drawing No. CR-MMD-00-ZZ-DR-SC-7002 Rev C03) - Received 14 March 2022
 - (vi) Barkby Beach Mitigation General Arrangement (Drawing No. CR-MMD-00-00-DR-EN-3048 Rev C02) - Received 31 March 2022
 - (vii) Promenade Structures Existing and Proposed Typical Sections & Details 1 of 2 (Drawing No. CR-MMD-00-XX-DR-SP-6100 Rev C06) - Received 27 May 2022
 - (viii) Promenade Structures Existing and Proposed Typical Sections & Details 2 of 2 (Drawing No. CR-MMD-00-XX-DR-SP-6101 Rev C05) - Received 31 March 2022
 - (ix) Coastal Structures Existing and Proposed Typical Sections & Details 1 of 3 (Drawing No. CR-MMD-00-XX-DR-SC-7101 Rev C03) - Received 14 March 2022
 - (x) Coastal Structures Existing and Proposed Typical Sections & Details 2 of 3 (Drawing No. CR-MMD-00-XX-DR-SC-7102 Rev C03) - Received 14 March 2022
 - (xi) Coastal Structures Existing and Proposed Typical Sections & Details 3 of 3 (Drawing No. CR-MMD-00-XX-DR-SC-7103 Rev C03) - Received 14 March 2022
 - (xii) Planning Design and Access Statement (Dated 11/03/22) - Received 14 March 2022
 - (xiii) Pre-Application Consultation Report (Dated 14/03/22) - Received 14 March 2022
 - (xiv) Transport Statement (Dated 16/09/21) - Received 14 March 2022
 - (xv) Flood Consequences Assessment (Dated 16/09/21) - Received 14 March 2022
 - (xvi) Barkby Ecological Mitigation Area Report (Dated 03/09/21) - Received 14 March 2022

(xvii) Environmental Statement Volume 1: Main Text - Received 14 March 2022
(xviii) Environmental Statement Volume 2: Technical Appendix 1 - Introduction - Received 14 March 2022
(xix) Environmental Statement Volume 2: Technical Appendix 2 - Need for Scheme, Alternatives, Basis Design - Received 14 March 2022
(xx) Environmental Statement Volume 2: Technical Appendix 3 - Scheme Description - Received 14 March 2022
(xxi) Environmental Statement Volume 2: Technical Appendix 7 - Historic Environment - Received 14 March 2022
(xxii) Environmental Statement Volume 2: Technical Appendix 8 - Biodiversity - Received 14 March 2022
(xxiii) Environmental Statement Volume 2: Technical Appendix 10 - Coastal - Received 14 March 2022
(xxiv) Environmental Statement Volume 2: Technical Appendix 11 - Landscape - Received 14 March 2022
(xxv) Environmental Statement Volume 2: Technical Appendix 13 - Noise and Vibration - Received 14 March 2022
(xxvi) Environmental Statement Volume 2: Technical Appendix 15 - Other - Received 14 March 2022
(xxvii) Environmental Statement Volume 3: Non-Technical Summary - Received 14 March 2022
(xxviii) Existing Site Plan Sheet 01 of 03 (Drawing No. CR-MMD-00-XX-DR-SP-0107 Rev C01) - Received 31 March 2022
(xxix) Existing Site Plan Sheet 02 of 03 (Drawing No. CR-MMD-00-XX-DR-SP-0108 Rev C01) - Received 31 March 2022
(xxx) Existing Site Plan Sheet 03 of 03 (Drawing No. CR-MMD-00-XX-DR-SP-0109 Rev C01) - Received 31 March 2022
(xxxi) Pre-Application Consultation Comments Responses (Dated 01/04/22) - Received 7 April 2022
(xxxii) Amended Details Covering Letter - Received 27 May 2022
(xxxiii) SC2 Outdoor Splash Pool - Raised Terrace and Fire Exit (Drawing No. CR-MMD-00-XX-DR-SP-6407 Rev C01) - Received 27 May 2022
(xxxiv) Response to consultation comments letter dated 13th June, received 14th June 2020
(xxxv) Barkby Ecological Mitigation Area Statement received 20th June 2022

3. No works in connection with the development hereby approved shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:
- a) work programme and working hours, including timings of deliveries.
 - b) the location and general arrangements of the construction compounds and storage areas and measures to reinstate the land following completion of the works;
 - c) the arrangements for the parking of vehicles of site operatives and visitors;
 - d) traffic management scheme to include the proposed management and routing of construction and delivery vehicles, and directional signing along public roads where necessary;
 - e) wheel washing facilities;
 - f) the location of areas designated for the loading, unloading, and storage of plant and materials;
 - g) the location and detailing of fencing, hoardings or other means of enclosure around and within the site;
 - h) pollution prevention and control measures, including measures to mitigate water pollution;
 - i) dust management plan;
 - j) noise and vibration management plan (including details of monitoring);
 - k) external lighting and measures to reduce light spill and glare;
 - l) the piling methods and measures to mitigate noise and vibration;
 - m) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - n) measures to remove and prevent the spread of non-native invasive species encountered during the construction phase;
 - o) storage of top soil and other excavated materials;

p) measures to manage public access to the beach during the construction phase;
q) SeaQuarium monitoring programme, fish relocation scheme and noise mitigation;
r) Construction Flood Risk Management Plan;
s) Communications protocol setting out procedures for communicating with the local community throughout the construction phase; the management of complaints; and quarterly meetings with the Council's Public Protection department.
The construction works shall then be carried out strictly in accordance with the approved details.

4. Notwithstanding the approved details, no development, including site clearance, shall commence until a site wide updated Environmental Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority.
The updated EMP shall be implemented as approved during the site preparation, construction phases and operation of the development.
5. Ecological mitigation and enhancement at Barkby Beach shall be provided in full accordance with the measures set out in the approved Barkby Beach Mitigation Area Report, Barkby Beach Mitigation General Arrangement Plan and the Barkby Ecological Mitigation Area Statement.
6. No surface water from any increase in impermeable surfaces shall be allowed to drain directly or indirectly to the public sewerage system.
7. **PRE-COMMENCEMENT CONDITION**
No development, including site clearance, shall commence until a programme of geo-archaeological investigation and mitigation has been implemented in accordance with a written scheme of investigation, which shall be submitted to and agreed in writing by the Local Planning Authority.
The archaeological programme of work shall be undertaken and completed in accordance with the relevant Standards and Guidance laid down by the Chartered Institute for Archaeologists. A copy of the resulting report shall be submitted to the Local Planning Authority and the Development Control Archaeologist, (Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP Email: mark.walters@cpat.org.uk Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record and to the National Monuments Record, RCAHMW

The reasons for the conditions 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 suitable arrangements are in place to control construction works and minimise impacts, in the interests of residential amenity, highway safety and pollution, prevention and control.
4. In the interests of ecological and environmental protection.
5. In the interests of securing ecological mitigation and enhancement measures.
6. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
7. To secure preservation by record of all archaeological remains which may be impacted by the development.