

In pursuance of its powers under the Acts and Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application

|                  |                                                                                             |                      |                 |
|------------------|---------------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | MR D BRYAN LIDL UK GMBH                                                                     | <b>Code Number</b>   | WRA P/2018/0675 |
| <b>Agent</b>     | PLAN A (NORTH WEST) LIMITED<br>MR CHRIS SMITH<br>32<br>AUGHTON ROAD<br>SOUTHPORT<br>PR8 2AG | <b>Date Received</b> | 10/08/2018      |
|                  |                                                                                             | <b>Decision Date</b> | 16/03/2020      |

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### **Town and Country Planning Act, 1990**

#### **Location of application**

DIVISIONAL POLICE HEADQUARTERS, BODHYFRYD, WREXHAM,  
LL12 7BW

#### **Description of application**

ERECTION OF CLASS A1 RETAIL STORE AND CLASS A1/A3 DRIVE-THROUGH COFFEE SHOP WITH CAR PARKING AND SERVICING AREAS, ACCESS, LANDSCAPING AND ASSOCIATED WORKS INCLUDING RELOCATION OF ELECTRICITY SUB-STATION, FOLLOWING DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

|      |                                 |
|------|---------------------------------|
| EC13 | Surface water run-off           |
| EC4  | Hedgerows, Trees and Woodland   |
| GDP1 | Development objectives          |
| PS1  | Settlement limits               |
| PS2  | Development and the environment |
| PS3  | Brownfield Land                 |
| PS4  | Settlement Pattern              |
| T8   | Parking                         |

| Revision | Date       | Description of Decision                                                  |
|----------|------------|--------------------------------------------------------------------------|
| 0        | 16/03/2020 | Planning permission issued                                               |
| 1        | 04/12/2020 | Approval of details submitted in respect of conditions 11, 12, 13 and 14 |
| 2        | 17/02/2021 | Approval of details submitted in respect of conditions 05 and 06         |
| 3        | 04/03/2021 | Approval of details submitted in respect of condition 07                 |

|                  |                                                                                                |                          |                 |
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**Particulars of decision that permission be GRANTED**  
**Subject to the following:-**

**Condition(s)**

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered AD102, AD110\_REV G, AD111\_REV D, AD112\_REV B, AD113\_REV C, AD, 114\_REV D, AD115\_REV E, AD 116\_REV C, AD 117\_REV C, AD\_120 REV A and as contained within the application documentation.
3. The premises labelled DRIVE THRU on approved plan AD110\_REV G shall be used for cafe and coffee house purposes only and shall not be used for any other purposes including any other use within Class A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any statutory instrument revoking and re-enacting that Order with or without amendment).
4. The vehicular parking and turning areas as shown on approved drawing No. AD110\_REV G shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
5. Other than any demolition operations, no part of the development shall commence, until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:
  - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;

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- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,  
iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

**Date Approved:** 17/02/2021 **Reference Number:** P/2020/0855

**By:** Wrexham County Borough Council

**Approved Details:** Drawings 09-124-0510 Revision B, 09-124-511 Revision A and 09-124-512 Revision B

6. Prior to their use on the development a specification of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

**Date Approved:** 17/02/2021 **Reference Number:** P/2020/0855

**By:** Wrexham County Borough Council

**Approved Details:** Arcelor Cladding, Staffordshire Smooth Red Brick, Arcelor metal roofing cladding, Rainspan Eurobond timber cladding.

7. Other than any demolition operations, no part of the development shall commence until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

**Date Approved:** 04/03/2021 **Reference Number:** P/2020/0636

**By:** Wrexham County Borough Council

**Approved Details:**

|                  |                                                                                                |                          |                 |
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| <b>Applicant</b> | MR D BRYAN LIDL UK<br>GMBH                                                                     | <b>Code<br/>Number</b>   | WRA P/2018/0675 |
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- Remada Ltd, Letter report RE: P/2020/0636 – Discharge of Condition 7 (Contamination) of Planning Permission P/2018/0675. Dated 25 February 2021
- Remada Ltd, Phase 1 Site Investigation, Lidl Bodhyfryd, Wrexham. Dated July 2017
- Brownfield Solutions Ltd, Geo-Environmental Assessment Report, Lidl UK GMBH Wrexham Police Station. Dated December 2017
- Brownfield Solutions Ltd, Gas Assessment Letter Report. Dated 28 June 2018
- Remada Ltd, Supplementary Phase 2 Ground Investigation, Lidl Bodhyfryd, Wrexham. Dated April 2019
- Remada Ltd, Letter report RE: P/2020/0636 – Discharge of Condition 7 (Contamination) of Planning Permission P/2018/0675. Dated 18th December 2020.

8. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 7 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

9. No deliveries to the site, excluding the delivery of periodicals, shall be made before 0700 or after 2300 on any day.

10. The development hereby approved shall only be open to the public within the following hours:

- A1 food store - 0700 to 2200 Monday to Saturday and 1000 to 1700 on Sundays.

- A1/A3 Drive thru cafe - 0600 to 2300 on any day.

11. No part of the development, including any demolition, shall commence until a detailed scheme for the protection of existing trees during the demolition phase (as identified in accordance with the approved tree retention plan AD117\_REV C), to include the location and specification for protective fencing, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as may be approved.

**Date Approved:** 04/12/2020 **Reference Number:** P/2020/0652

**By:** Wrexham County Borough Council

**Approved Details:** Arboricultural Method Statement reference AWA3153 dated April 2020

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| <b>Applicant</b> | MR D BRYAN LIDL UK<br>GMBH                                                                     | <b>Code<br/>Number</b>   | WRA P/2018/0675 |
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12. No part of the development shall commence, other than demolition and site investigation works, until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

- a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012 and accords with the approved tree retention plan AD117\_REV C;
- b) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- c) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- d) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- g) Method for protecting retained trees during demolition works;
- h) Details of all proposed tree works, including felling and pruning.

**Date Approved:** 04/12/2020 **Reference Number:** P/2020/0652

**By:** Wrexham County Borough Council

**Approved Details:** Arboricultural Method Statement reference AWA3153 dated April 2020

13. No part of the development shall commence, to include any demolition, until a Environmental Management Plan relating to the demolition phases has been submitted to an approved in writing by the local planning authority. The plan shall include, but not be limited, measures to control dust during demolition phases, noise mitigation measures, hours of working and designated delivery and contractor parking areas. The development shall be carried out in accordance with the details as approved.

**Date Approved:** 04/12/2020 **Reference Number:** P/2020/0652

**By:** Wrexham County Borough Council

**Approved Details:** PP03 Environmental Aspects & Impacts Register dated January 2020, Project Environmental Aspects & Impacts Register, drawing no. AD 102 Demolition Plan and Environmental Incident Flowchart dated January 2020.

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14. Other than demolition, no part of the development shall commence until a Construction Environmental Management Plan relating to the construction phases has been submitted to an approved in writing by the local planning authority. The plan shall include, but not be limited, measures to control dust during construction phases, noise mitigation measures, hours of working and designated delivery and contractor parking areas. The development shall be carried out in accordance with the details as approved.

**Date Approved:** 04/12/2020 **Reference Number:** P/2020/0652

**By:** Wrexham County Borough Council

**Approved Details:** Construction Environmental Management Plan dated 26.8.2020

15. Within the first available planting season landscaping shall be carried out in accordance with the details contained on approved drawing number AD116\_REV C. The landscaping shall be maintained in accordance with the detail on the same plan and maintained in this condition thereafter.

16. Prior to the first use of the development hereby approved all boundary treatments shall be installed in accordance with the detail contained on drawing number AD 114\_REV D and shall be retained in this condition thereafter.

17. The pedestrian footpath links as shown on drawing number AD110\_REV G shall be installed prior to the first use of the development hereby approved.

18. The rating level of any noise generated by any air handling equipment associated with this development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

### **Reason(s)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. In order to ensure that the development will not have an adverse impact upon the health and amenity of the neighbouring occupiers in the interests of policy GDP1 of the Wrexham Unitary Development Plan.

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4. To provide for the parking and turning 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 in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
5. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
7. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
12. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
13. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
16. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
17. To ensure that a properly constructed access is available for use when the development is completed thereby enabling safe and convenient access to and egress from the site in the interests of road users and pedestrians in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
18. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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### Note(s) to applicant

You are advised to give consideration to the use of a barrier to prevent vehicular access onto the premises during non-opening hours.



**Officer Appointed for this purpose**  
**Chief Officer Planning & Regulatory**

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

[http://www.wrexham.gov.uk/english/planning\\_portal/publications/info\\_sheets.htm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)