

To: Chair and Members of the Planning Committee

Date: Thursday, 9 January 2025

Direct Dial: 01824 712589

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Dear Councillor

You are invited to attend a meeting of the **PLANNING COMMITTEE** to be held at **9.30 AM** on **WEDNESDAY, 15 JANUARY 2025** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND BY VIDEO CONFERENCE**.

Yours sincerely

G Williams
Monitoring Officer

AGENDA

1 APOLOGIES (Pages 3 - 4)

2 DECLARATIONS OF INTEREST (Pages 5 - 6)

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 MINUTES (Pages 7 - 14)

To confirm the accuracy of the minutes of the Planning Committee meeting held on the 6 November 2024 (copy attached).

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEM 5) -

5 APPLICATION NO. 22/2024/0045 - LAND ADJOINING TO PENIARTH, GELLIFOR, RUTHIN (Pages 15 - 64)

To consider an application for the erection of 14 dwellings and one detached garage, including the formation of vehicular accesses and parking, formation of visitor car park, landscaping and associated works (copy attached).

PART 2 - CONFIDENTIAL ITEMS

EXCLUSION OF PRESS AND PUBLIC

It is recommended in accordance with Section 100A (4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following item of business because it is likely that exempt information as defined in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Act would be disclosed.

6 APPLICATION NO. 01/2022/0523 - UPDATE ON GRAIG QUARRY, DENBIGH, PLANNING APPEAL (Pages 65 - 82)

Members to consider a confidential report by the Head of Planning along with received legal advice into the options available to the Local Planning Authority in dealing with the forthcoming Public Inquiry Planning Appeal into the refusal of planning permission for the or the extension of winning and working of limestone, importation of inert waste and restoration to amenity land (planning application number 01/2022/0523) (copy attached).

MEMBERSHIP

Councillors

Councillor Mark Young (Chair)

Councillor Alan James (Vice-Chair)

Michelle Blakeley-Walker

Terry Mendies

Ellie Chard

Raj Metri

Karen Edwards

Merfyn Parry

James Elson

Arwel Roberts

Chris Evans

Anton Sampson

Justine Evans

Gareth Sandilands

Jon Harland

Andrea Tomlin

Huw Hilditch-Roberts

Cheryl Williams

Delyth Jones

Elfed Williams

Julie Matthews

COPIES TO:

All Councillors for information

Press and Libraries

Town and Community Councils

WELCOME TO DENBIGHSHIRE COUNTY COUNCIL'S PLANNING COMMITTEE

HOW THE MEETING WILL BE CONDUCTED

Unless the Chair of the Committee advises to the contrary, the order in which the main items will be taken will follow the agenda set out at the front of this report.

General introduction

The Chair will open the meeting at 9.30am and welcome everyone to the Planning Committee.

The Chair will ask if there are any apologies for absence and declarations of interest.

The Chair will invite Officers to make a brief introduction to matters relevant to the meeting.

Officers will outline as appropriate items where we have received requests for deferral, withdrawals, special reports, and any Part 2 items where the press and public may be excluded. Reference will be made to additional information prior to the start of the meeting, including the late representations/amendments summary sheets ('Late Sheets') and any supplementary or revised plans relating to items for consideration.

The Late Sheets' contain important information, including a summary of material received in relation to items on the agenda between the completion of the main reports and the day before the meeting. The sheets also set out the proposed running order on planning applications.

In relation to the running order of items, any Members seeking to bring forward consideration of an item will be expected to make such a request immediately following the Officer's introduction. Any such request must be made as a formal proposal and will be subject to a vote.

The Planning Committee currently consists of 21 elected Members. In accordance with protocol, 11 Members must be present at the start of a debate on an item to constitute a quorum and to allow a vote to be taken.

County Council Members who are not elected onto the Planning Committee may attend the meeting and speak on an item, but are not able to make a proposal to grant or refuse, or to vote.

CONSIDERING PLANNING APPLICATIONS

The sequence to be followed

The Chair will announce the item which is to be dealt with next. In relation to planning applications, reference will be made to the application number, the location and basis of the proposal, the relevant local Members for the area, and the Officer recommendation.

If any Member is minded to propose deferral of an item, including to allow for the site to be visited by a Site Inspection Panel, the request should be made, with the planning reason for deferral, before any public speaking or debate on that item.

Where relevant, the Chair will offer the opportunity for Members to read any late information on an item on the 'Late Sheets' before proceeding.

Prior to any debate, the Chair may invite Officers to provide a brief introduction to an item where this is considered to be worthwhile in view of the nature of the application.

The Chair will announce that the item is open for debate and offer Members opportunity to speak and to make propositions on the item.

If any application has been subject to a Site Inspection Panel prior to the Committee, the Chair will normally invite those Members who attended, including the Local Member, to speak first.

On all other applications, the Chair will permit the Local Member(s) to speak first, should he/she/they wish to do so.

Members are normally limited to a maximum of five minutes speaking time, and the Chair will conduct the debate in accordance with Standing Orders.

Once a Member has spoken, **he/she should not speak again** unless seeking clarification of points arising in debate, and then only once all other Members have had the opportunity to speak, and with the agreement of the Chair.

At the conclusion of Members debate, the Chair will ask Officers to respond as appropriate to questions and points raised, including advice on any resolution in conflict with the recommendation.

Prior to proceeding to the vote, the Chair will invite or seek clarification of propositions and seconders for propositions for or against the Officer recommendation, or any other resolutions including amendments to propositions. Where a proposition is made contrary to the Officer recommendation, the Chair will seek clarification of the planning reason(s) for that proposition, in order that this may be recorded in the Minutes of the meeting. The Chair may request comment from the Legal and Planning Officers on the validity of the stated reason(s).

The Chair will announce when the debate is closed, and that voting is to follow.

The voting procedure

Before requesting Members to vote, the Chair will announce what motions have been made, and how the vote is to proceed. If necessary, further clarification may be sought of amendments, new or additional conditions and reasons for refusal, so there is no ambiguity over what the Committee is voting for or against.

Members attending via Zoom

The voting will proceed with the Chair going around all the Planning Committee members eligible to vote to ask for their verbal "For", "Against" or "Abstain" vote. The votes will be marked down.

Members attending in person in the Chamber

The Members will use the electronic voting system and the result will be read out by the Chair.

Final Result

The Chair will add up the votes and will announce whether the application has been approved or refused.

LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, (name)

a *member/co-opted member of
*(*please delete as appropriate)*

Denbighshire County Council

CONFIRM that I have declared a ***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-
*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 6 November 2024 at 9.30 am.

PRESENT

Councillors Michelle Blakeley-Walker, Ellie Chard, Karen Edwards, James Elson, Chris Evans, Jon Harland, Huw Hilditch-Roberts, Alan James (Vice-Chair), Delyth Jones, Julie Matthews, Terry Mendies, Gareth Sandilands, Andrea Tomlin, Cheryl Williams and Mark Young (Chair)

ALSO PRESENT

Legal Advisor (CL), Principal Planning Officer (PG), Development Manager (PM) Trainee Solicitor (EC) Committee Administrator (NH) and Committee Administrator: Zoom Host (ED)

Local Member Councillor Peter Scott

1 APOLOGIES

Apologies for absence were received from Councillors Gwyneth Ellis, Justine Evans, Merfyn Parry and Arwel Roberts.

2 DECLARATIONS OF INTEREST

Councillor Cheryl Williams declared a personal interest in agenda item 6 as she was known to the applicant.

3 URGENT MATTERS AS AGREED BY THE CHAIR

An application for a Tree Preservation Order (TPO) had been received and had been circulated to members as a supplement. The Chair stated that the item would be discussed at the end of the meeting.

4 MINUTES

The minutes of the Planning Committee meeting held on the 9 October 2024 were submitted.

Matters of accuracy –

Declarations of Interest paragraph – the apologies text had been duplicated under the declarations of interest item. It should read – ‘none’.

Page 9 – Land at Midnant Farm Gronant Road, Prestatyn should read ‘officers had given weight to the housing need in Prestatyn following a previous site being accepted for dwellings outside the LDP and not ‘the Chair stated that there was a residential housing need in the area as the site had been accepted for dwelling outside the LDP’.

No matters arising were raised.

It was –

RESOLVED: *that subject to the above, the minutes of the meeting held on the 9 October be received and approved as a true and correct record of the proceedings.*

5 APPLICATION NO. 47/2023/0838 - EGLWYS MC, TREMEIRCHION

An application was submitted for the conversion of chapel to form dwelling including the demolition and rebuilding of vestry building and erection of single storey extension, formation of vehicular access, parking area and associated works.

Public Speaker – Nigel Heckman (for) had submitted an application for the change of use of Tremeirchion Chapel. Mr Heckman and his wife were long standing residents of Tremeirchion, were not property developers and were wanting to create a residential property for their own use.

Currently the property had a planning category of D1 use, which meant the applicant could utilise the property as a day nurse or creche along with many other uses without bringing an application to the Planning Committee. The applicant's submittal of change of use to a residential property would have a significant decrease in the impact on highways and the environment.

During the past 12 months, since the application was submitted to the Planning Department, many objections had been received. Meetings had been held with the Highways Officer and the plans had been amended to accommodate Officer recommendations. No objections had been received with regards to the visual impact of the property from the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). The drainage systems on the proposed plans had been given the approval from Natural Resources Wales and previous plans had been amended to the approval of the Ecology Officer and a license would be obtained from Natural Resources Wales to protect the bats, birds and other species.

Objections had been received regarding the property shading a neighbouring property. The plans submitted met planning and building regulations, and the vestry gable wall would be retained in addition to a 3ft roadside wall to offer further protection to the neighbour.

Taking all the points raised above and the significant changes made to the planning application over the past 12 months the applicant asked the Planning Committee to vote in favour of the planning application.

Public Speaker – Bethan Owens (against) Thanked the Committee for allowing her to speak at the meeting against the planning application.

Attention was drawn to the application submitted on the 4 November 2023 and the inaccuracies it contained.

In the Design and Access Statement from the 29 May 2024 some inaccuracies within the location plan and the block plan stated that drainage would be via a new domestic waste suage plant however, this information did not correspond to the latest submitted information. It was understood that under Welsh Planning Law, applications were considered invalid if they contained missing or inaccurate information and were discounted until the accuracies were corrected.

No Impact Statement had been provided with regards to how the applicant would limit any disruption to residents and road users during the clearance of construction phases. There were strong objections to numerous points which formed part of the material planning considerations.

It was unfortunate that there was no desire to retain the building for use as a community hub. The application would overshadow and overlook Ty Capel with total loss of amenity. The appearance, character and scale of the property were not in keeping with the local area and it was a major overdevelopment of what was a seemingly small site.

The Committee were urged to refuse the application due to the vast inaccuracies and changes to the planning application.

General debate –

The Principal Planning Officer highlighted the additional information received in the late representations. In relation to questions raised about drainage, it was confirmed that the submitted site layout plan, when read in conjunction with the drainage plan showed the existing connection to the existing septic tank to remain, but the septic tank to be replaced with a private treatment plant.

In relation to highway safety during consultation (should the application be granted) Officers consider these can be addressed through the imposition of a Construction Management Plan condition.

The Chair stated that there was a site meeting held on the 1 November and welcomed comments for members who attended.

Local Member Councillor Chris Evans attended the site meeting and expressed his concerns regarding the road outside of the property having a 60mph speed limit and highlighted and his concerns regarding the loss of the historical windows already in the property.

The Principal Planning Officer stated that the property was not a listed historical building and was not in a conservation area. Regarding the road outside the property, as the applicant had already alluded to, the current category D1 use of the property meant that the property could be used as a nursery for example with no

planning conditions and that would increase the number of vehicles using the road during the day.

Councillor Peter Scott attended the site meeting and stated that the visibility concerns raised by residents had been amended on the application and the surrounding wall of the property would stand at 1 metre tall to help with the visibility of cars reversing and passing the property.

Councillor Alan James attended the site meeting and concerns regarding the narrowness of the lane and highway concerns were given consideration and discussed. He proposed that the application be granted.

Councillor Jon Harland questioned if the Committee could receive clearer application plans when they were submitted for inclusion on the agenda. The Principal Planning Officer stated that the plans included with the agenda were condensed however, the planning applications were available online for all members and these were not condensed and were clearer.

Councillor Delyth Jones questioned what materials were going to be used to construct the building and if there were any conditions placed on the application for the roof windows in relation to the AONB Dark Skies legislation.

The Principal Planning Officer stated that the plans suggest the materials used would be grazed link and the new build would be reclaimed stone in keeping with the local area. There had been no objections from AONB regarding Dark Skies.

Councillor Chris Evans further expressed his concerns regarding the highway and asked for clarity on the process if the Construction Method Statement was not adhered to. The Principal Planning Officer stated that if the Construction Method Statement was not adhered to, it would be a breach of planning conditions and enforcement would be undertaken where necessary. The Local Member would be given sight of the Construction Method Statement.

Proposal – Councillor Alan James proposed that the application be GRANTED in accordance with officer recommendations SECONDED by Councillor James Elson.

Vote –

For – 12

Against – 1

Abstain – 1

RESOLVED: that the application be GRANTED in accordance with Officer recommendations.

6 APPLICATION NO. 45/2024/1019 - 1 WELLINGTON ROAD, RHYL, LL18 1AY

An application was submitted for the change of use from shop (use class A1) to a hot food takeaway/ restaurant (use class A3) and installation of new shop front.

General debate –

Councillor Alan James understood that concerns had been raised regarding the highway in front of the retail unit however, the building had been vacant for a long time and would inevitably start to deteriorate. Retail and the use of highstreets had changed over recent years and the application for the change of use was a way of revitalising and bringing the property back into use. Councillor Alan James proposed that the application be GRANTED in accordance with Officer recommendations.

Councillor Gareth Sandilands stated that he was aware of the location of the retail unit and had concerns about the busy highway and illegal parking causing limited visibility to passing vehicles. It was also raised that there was an intensification of takeaway outlets in the immediate area.

Councillor Ellie Chard further expressed her concerns regarding the highway and the location of the property.

The Development Manager explained that parking was available around the town centre and any illegal parking was a matter for the Police. The Planning Team had received an increase in applications for the changes of the use of empty former retail properties in town centres and there was a need for balance when considering these applications.

The Chair referred to the concerns raised by the Health Board regarding the proliferation of hot food usage and the impact on the wellbeing and health of a community. The Development Manager stated that officers could not isolate the change of use of this building having a significant negative impact that would justify refusing the application.

Councillor Andrea Tomlin further raised concerns regarding the location and the highway and stated that granting the application would further exacerbate the traffic problems that existed already.

Councillor Huw Hilditch-Roberts questioned if an alternative use for the property under its current A1 category use, for example a Chemist could be opened and there would be no planning conditions for this. The Development Manager stated that there were many retail options available under the current A1 category use and Councillor Huw Hilditch-Roberts was correct in stating that no planning conditions would be needed. This would raise the same concerns around vehicles using the highway.

Councillor Terry Mendies stated that the Committee should not focus on the possible concerns/ issues in the future. The application was for the change of use of a property and that should be considered on its own merits. Councillor Terry

Mendies **SECONDED** that the application be Granted in accordance with Officer recommendations.

Vote –

For – 6

Against – 8

Abstain – 1

RESOLVED: *Not to grant the planning application in accordance with the officer recommendations.*

Councillor Andrea Tomlin **PROPOSED** that the application be refused due to highway safety concerns.

Councillor Ellie Chard **SECONDED** that the application be refused and added a reason for refusal due to the proliferation of A3 class uses potentially being damaging to the health of the community.

The Committee took a vote on the reasons proposed for the refusal of the application.

Vote –

For – 3

Against – 9

Abstain – 3

RESOLVED: *Not to refuse the planning application for the two reasons put forward by Councillor Andrea Tomlin and Councillor Ellie Chard.*

Councillor Andrea Tomlin **PROPOSED** that the application be refused on the grounds of highway safety concerns only based on the close proximity of the premises to a busy road junction, **SECONDED** by Councillor Chris Evans.

Vote –

For – 11

Against – 2

Abstain – 2

RESOLVED: *that the application be REFUSED against officer recommendations on the grounds of highway safety concerns.*

7 APPLICATION NO. 24/2023/0566 - LAND AT BRO FAIR, STATION ROAD, RHEWL

An application was submitted for the erection of stable, formation of hardstanding and access road, landscaping and associated works.

No questions were raised by the Chair or members of the Planning Committee.

Proposal – Councillor Karen Edwards proposed that the application be GRANTED in accordance with officer recommendations SECONDED by Councillor Delyth Jones.

Vote –

For – 15

Against – 0

Abstain – 0

RESOLVED: *that the application be GRANTED in accordance with officer recommendations.*

8 URGENT ITEM - CONFIRMATION OF PROVISIONAL TREE PRESERVATION ORDER (TPO)

The Principal Planning Officer explained to members that on the 15 May 2024 the Council had made a provisional Tree Preservation Order, named the Denbighshire County Council (Town of Ruthin) Tree Preservation Order NO: 4(2024) Land between The Rectory and Brackendene, Llanbedr DC (TPO 4(2024)). The Council's Tree Officer had carried out an assessment of the tree and submitted a request that the European Larch (*Larix decidua*) (T1) be covered by a TPO as the tree meet the relevant criteria and warranted protection. The Tree Officer submitted a completed Tree Evaluation Method for Preservation Orders (TEMPO) which confirmed that the tree had habitat importance and was in immediate threat from development. The Council's Tree Officer considered that the value of the tree contributed to the character of the area which warranted it being protected. By placing a TPO on the tree it highlighted to all interested parties that it was protected and affords greater control over the tree in the future.

Councillor Terry Mendies questioned if TPO 4(2024) would have an impact on the developer's plans for the area of land near the tree. The Principal Planning Officer stated that TPO 4(2024) would not impede the Housing Development application previously granted for the area of land.

Proposal - Councillor Alan James proposed that TPO 4(2024) be CONFIRMED in accordance with Officer recommendations, SECONDED by Councillor Karen Edwards.

Vote –

For – 15

Against – 0

Abstain - 0

RESOLVED: *that the Denbighshire County Council (Town of Ruthin) Tree Preservation Order No: 4(2024) Land between The Rectory and Brackendene, Llanbedr DC is CONFIRMED without modification to afford the single European*

Larch (Larix decidua) (T1) continued protection in accordance with Officer recommendations.

Meeting concluded at 11.20am

Agenda Item 5

Sarah Stubbs

WARD: Moel Famau

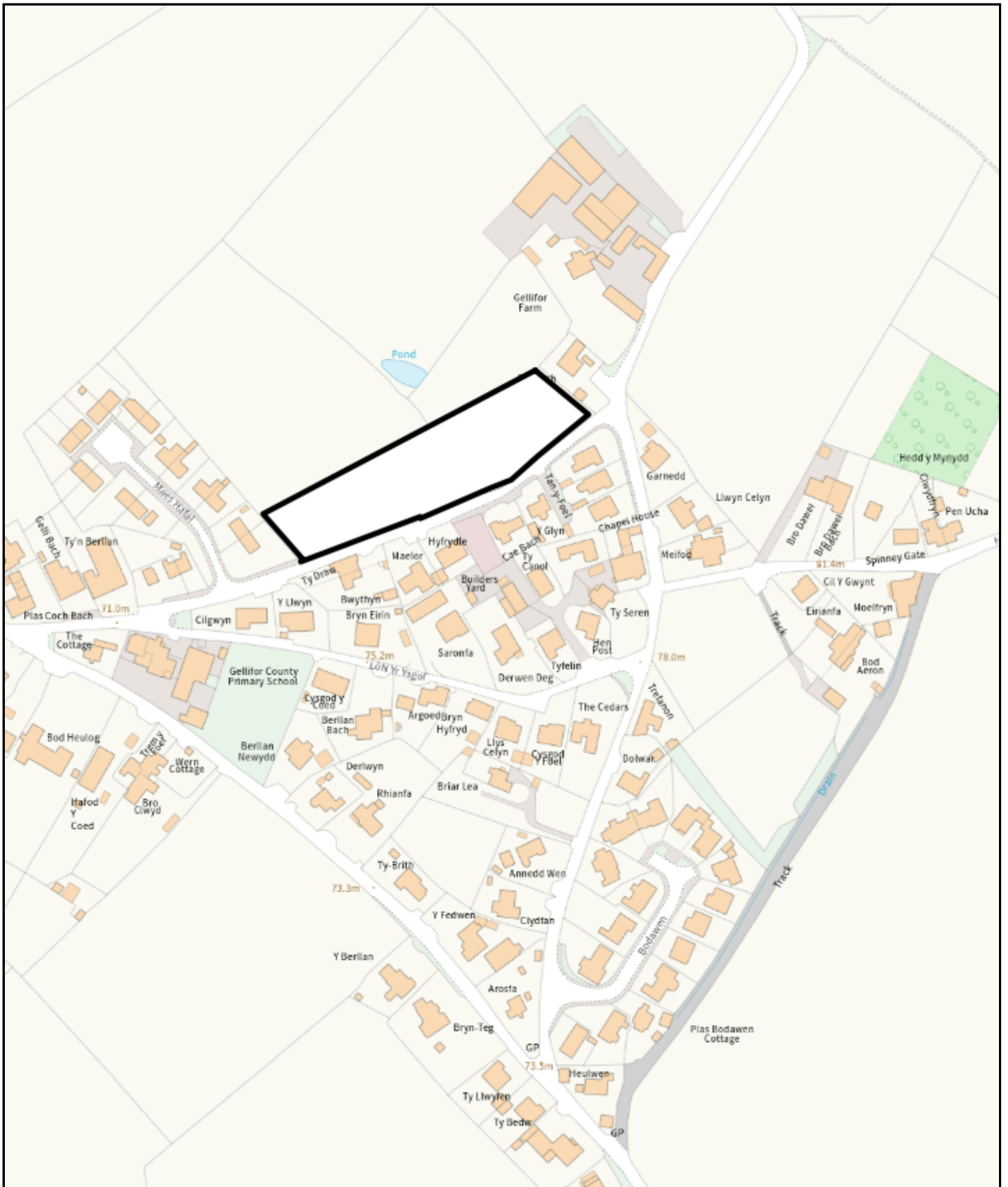
WARD MEMBER(S): Councillor Huw O Williams

APPLICATION NO: 22/2024/0045/ PF

PROPOSAL: Erection of 14 dwellings and one detached garage, including the formation of vehicular accesses and parking, formation of visitor car park, landscaping and associated works

LOCATION: Land adjacent to Peniarth, Gellifor, Ruthin

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22-2024-0045



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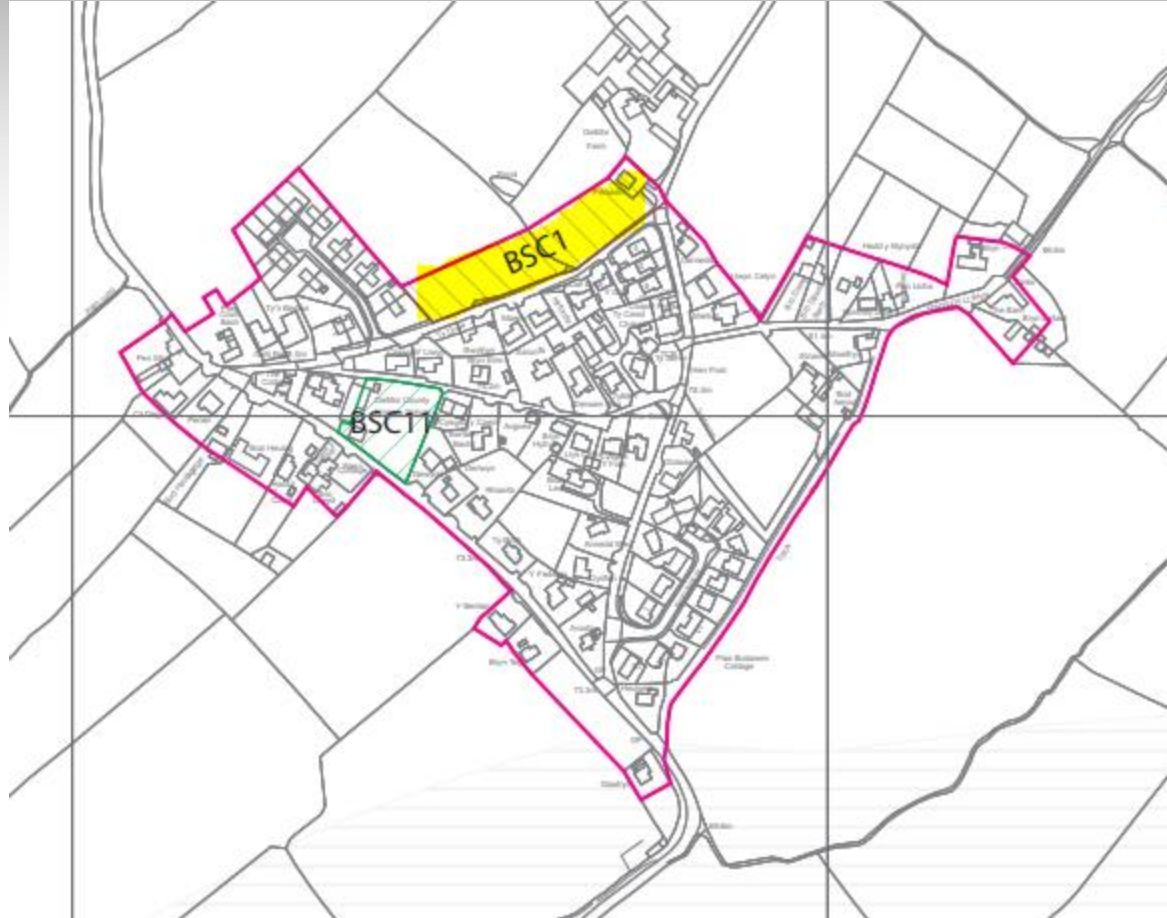
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22/2024/0045/PF

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Land adjoining Peniarth, Gellifor



Local Development Plan Proposals Map Allocation

- 01/ Proposed 4 bedroom detached property
inclusive of detached double garage.
- 02/ Proposed 4 bedroom detached property.
- 03/ Proposed 3 bedroom detached property.
- 04/ Proposed 3 bedroom semi-detached property.
*One unit allocated as an affordable unit to DGI standards.
- 05/ Proposed 2 bedroom semi-detached property.
- 06/ Proposed detached garage.
- 07/ Proposed parking area.
- 7 no. community parking spaces.
- 4 no. visitor parking spaces.
- 08/ Proposed 2m pavement area (adoptable standard).
- 09/ Proposed highway widened to 4.8m (adoptable standard).
- 10/ Proposed driveway including parking and turning area.
- 11/ Proposed front garden.
- 12/ Proposed rear garden.

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Proposed Site Layout Plan



Landscaping & Ecology Plan



Proposed House types - Type 1 (4 bed)



Proposed House type – Type 2 (4 bed)



1

Proposed House types – Type 3 (3 bed)



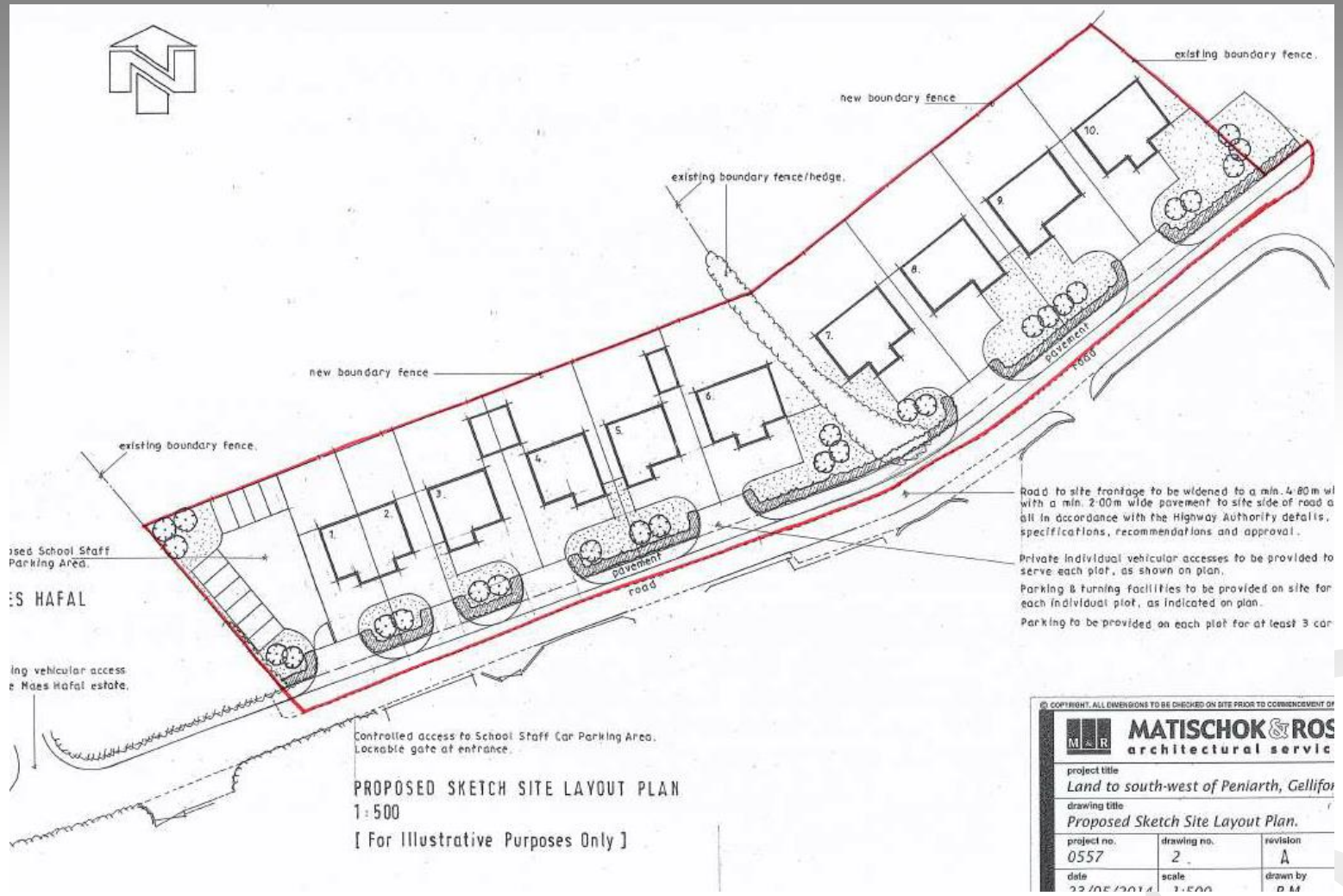
Proposed House type – Type 4 (3 bed)



Proposed House type – Type 5 (2 bed)



Site Photographs



Previous outline consent – illustrative layout

WARD : Moel Famau

WARD MEMBER(S): Councillor Huw O Williams

APPLICATION NO: 22/2024/0045/ PF

PROPOSAL: Erection of 14 dwellings and one detached garage, including the formation of vehicular accesses and parking, formation of visitor car park, landscaping and associated works

LOCATION: Land adjacent to Peniarth, Gellifor, Ruthin

APPLICANT: Roberts Homes - Mr Ian Roberts

CONSTRAINTS: Tree Preservation Order

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

LLANGYNHAFAL COMMUNITY COUNCIL

"The Community Council has discussed the proposals and submit the following comments -

(1) From previously submitted plans, the Community Council had been led to believe that there would be 10 dwellings and a community parking area large enough to ensure that the parking problems currently being encountered outside Gellifor School, Community Centre and Maes Hafal estate, would be overcome. Having seen the latest plans, the Council is concerned that the number of dwellings has increased to 14 and that the community parking area is now much smaller and designated as "visitor parking".

It is the view of the Council that the parking area should be (i) designated as a community parking area and (ii) that the size of the parking area should be increased and the number of properties reduced accordingly.

(2) There is an urgent need for more affordable houses in the Gellifor/Llangynhafal area and less of a demand for large 4-bedroom properties. It is the view of the Community Council that a greater proportion of the new development should be classified as affordable housing and not just one dwelling as currently proposed.

(3) The Community Council supports the comments put forward by the Environment and Conservation Officer for the development to be redesigned to incorporate 2 vehicular accesses at either end of the site and have access roads behind the hedge with the plots and houses set further back. This would help maintain the character of the village and would have less of an impact on neighbouring properties.

(4) Should 3 above not be possible, the Community Council strongly recommends that the public road to the front of the development be further widened than indicated to allow traffic to pass freely. There is room to move the new properties back to allow for a greater widening of the road and to provide greater distance between the new houses and the existing houses on the opposite side of the road.

(5) Every effort should be made to ensure that each dwelling has adequate parking space on site including affordable dwellings which currently do not appear to have designated parking provision earmarked on the site plan.

(6) The design of the new dwellings should be in keeping with neighbouring dwellings which, in the main, are a traditional red brick design and the amount of rendering/white panelling kept to the minimum.

(7) Looking further ahead, it should be a condition of planning that, before starting, careful

attention is given to site management arrangements to ensure that residents living opposite are not inconvenienced by the work. In particular, adequate parking must be provided on site for construction workers, plant, machinery and delivery vehicles.”

No further or amended comments following submission of amended/additional plans.

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

The revised plans do not overcome the Joint Committee’s previous concerns and the site remains over-developed. A lower density scheme is required. Both previous and current proposals do not respect the site and its surroundings in terms of the siting, layout, scale, form, character, design, materials etc. The proposed changes to the original submission are barely discernible and the layout does not reflect the organic informality of the existing settlement. The strong linear unbroken frontage, with extensive and exposed parking along the site frontage is very urban and an uncharacteristic feature of the rural area. The linear planting/landscaping along the site frontage will not soften the impact and with the absence of on-site POS it represents a very hard urban form of development. The extent of the parking to the front will also result in a proliferation of cars parked adding to street clutter and an unsightly development. All these factors point to the need to reduce numbers, in accordance with the LDP allocation of 10 dwellings for this site. A lower density scheme with a slightly staggered frontage, incorporating a couple of meaningful gaps, bringing the development forward, with more side/rear and communal parking would provide opportunities to break up the linear form with meaningful landscaping etc. Whilst you may be considering a commuted sum in lieu of POS I would urge to consider more on-site provision in this case to help assimilate the development into the village.

The parking provision also appears quite high and you may also wish to consider relaxing the standards in an attempt to reduce the extent of parking along the site frontage. This application should be refused on grounds of overdevelopment and poor design

NATURAL RESOURCES WALES

No objection

DWR CYMRU / WELSH WATER

No objection subject to the inclusion of a standard condition requiring the submission of a detailed drainage scheme

DENBIGHSHIRE COUNTY COUNCIL CONSULTTEES –

Traffic, Parking and Road Safety:

- Highways Officer

Highways Officers have given consideration to the following elements of the proposals;

1. *Capacity of existing network*
2. *Accessibility*
3. *Site access*
4. *Site Layout*
5. *Parking*

The following information has been reviewed as part of the assessment of the proposals;

Site Plans

Design, Access and Statement.

Having regard to the submitted details it is considered that sufficient information has been submitted.

Capacity of Existing Network

Criteria viii) of Policy RD 1 advises that proposals should not have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and incorporates traffic management/calming measures where necessary and appropriate.

Having regard to the scale of the proposed development, the existing highway network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highway network in terms of capacity.

The site is allocated in the Local Development Plan for housing and outline planning permission was gained under code no 22/2014/0626, whilst the permission has lapsed, the principle of development has been previously accepted. The LDP provides as indicative figure of 10 dwellings and the previous outline planning permission was shown on an indicative layout plan, this current application shows 4 additional dwellings. There are historic and existing parking issues on this road, particular at peak times, in association with the school. It is proposed to provide a school car parking area on land in control of the applicant to alleviate these issues.

I note the Town Council has concerns on this increase in house numbers and the likely traffic generated, in particular to the parking area for the village and school, I consider that this offer will still be of benefit to the community and school as its use will likely to be staggered throughout the day. The provision of essential, additional parking will alleviate these issues for the benefit of the school and the village, and this offer is still welcomed by the Local Authority. I have included a condition to deal with the management of the said car park.

The road fronting the development will be widened to 4.8m and a 2m footway will be provided along the whole site frontage to enable an accessible and safe link to the amenities.

I note the Town Council's comments in relation to widening the road further and to provide 2 vehicular accesses at either end of the site with access roads behind the hedge. Lengthy discussions have taken place with the Planning Officer/Highways, and it was concluded that this option would not be viable. To achieve visibility splays at the access points it would still be necessary to remove the hedge and to widen the road further would only encourage an increase in vehicle speeds along this stretch of road. It is considered that the proposed highway width and layout is adequate to serve the development and in accordance with D.C. C's Standards.

Accessibility

At 8.7.1 Planning Policy Wales (PPW) specifies that when local planning authorities determine planning applications, they should take account of the accessibility of a site by a range of different transport modes. TAN 18 at 6.2 states that walking should be promoted as the main mode of transport for shorter trips. Section 6.2 goes onto specify that when determining planning applications local planning authorities should.

- *ensure that new development encourages walking as a prime means for local journeys by giving careful consideration to location, access arrangements and design, including the siting of buildings close to the main footway, public transport stops and pedestrian desire lines;*
- *ensure that pedestrian routes provide a safe and fully inclusive pedestrian environment, particularly for routes to primary schools;*
- *ensure the adoption of suitable measures, such as wide pavements, adequate lighting, pedestrian friendly desire lines and road crossings, and traffic calming;*

Policy RD1 of the LDP states that development should provide safe and convenient access for disabled people, pedestrians and cyclists. Policy ASA 2 of the LDP identifies that schemes may be required to provide or contribute to the following;

Capacity improvements or connection to the cycle network; Provision of walking and cycling links with public transport facilities; Improvement of public transport services.

Gellifor is small village and is largely of residential settlement. Community facilities are limited but include a primary school and chapel. Due to the location, means of travelling to and from the site will mostly be reliant by car, however, the local bus stop is within easy

walking distance and with the provision of a new footway along the site frontage will provide a safer pedestrian link to local amenities.

Having regard to the location of the existing site, the highway network and proposed highway improvements it is considered that the proposals are acceptable in terms of accessibility and the policy requirements identified above.

Site Access

Criteria vii) of Policy RD 1 of the Denbighshire Local Development Plan (LDP) requires that developments provide safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles. In order to comply with this requirement site accesses should meet relevant standards. Technical Advice Note 18: Transport (TAN 18) specifies at 5.11 that new junctions must have adequate visibility and identifies Annex B as providing further advice on required standards.

Given the layout and scale of this land the previous outline permission with all matters reserved showed on the indicative site layout plan how safe access arrangements could be achieved. I do not consider that 4 additional dwellings would be detrimental to highway safety given the proposed highway works can still be accommodated demonstrating how safe access arrangements can be achieved.

The proposed new footway along the whole site frontage and the road widening provides a safe and convenience access to village amenities and a suitably worded condition will be imposed to ensure that vehicle accesses comply with standards.

Site Layout (including roads, pavements, manoeuvring, lighting etc.)

Criteria vii) of Policy RD1 of the LDP states that development should provide safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles together with adequate parking, services and manoeuvring space.

Specific design guidance is contained within the following documents;
Manual for Streets

Denbighshire County Council Highways and Infrastructure: Minimum Specification for the Construction of Roads Serving Residential Development and Industrial Estates
Denbighshire County Council: Specification for Highway Lighting Installations
Denbighshire County Council: General Requirement for Traffic Signs and Road Markings

At the detailed design stage a full assessment will be carried out for the provision of street lighting. The footway and road widening will accord with D.C.C. standards and a suitable legal agreement will be in place for the adoption of the road widening scheme.

The design of the proposed layout for all future users can effectively access the site and have safe access to the wider pedestrian and highway network.

Having regard to the details provided and guidance identified above, it is considered that the on-site highways arrangements are acceptable.

Parking

Policy ASA 3 requires that development proposals, including changes of use, will be expected to provide appropriate parking spaces for cars and bicycles. Supplementary Planning Guidance Note: Parking Requirements in New Developments (Parking SPG) identifies the required standards.

Policy ASA 3 also identifies circumstances that will be given consideration when determining parking provision. These circumstances are;

- The site is located within a high-densely populated area;
- Access to and availability of public transport is secured;
- Parking is available within reasonable distance of the site; Alternative forms of transport are available in the area.

The development provides adequate parking for each plot in accordance with D.C.C's parking standards.

The new footway and road widening proposed will provide a safer link to the existing public transport services within the village.

Recommendation

Having regard to the detailed assessments above, Highways Officers would not object to the proposed development, subject to appropriate conditional controls

- Footpaths Officer
Having checked the definitive map of public rights of way for the development area, I can confirm that path 6 Llangynhafal (FP), runs through Gellifor Farm, therefore, it would appear the proposals will not impact on the path.

Ecology Officer
No objection subject to the inclusion of conditions

Flood Risk Officer
SAB approval required

Tree Specialist
No objections, originally advised a Green Infrastructure Statement is required. Initial reservations that the loss of the hedge could not be compensated for.
No further comments submitted.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Gemma & Jake Jackson, Ty Canol, Gellifor
Mary Chaffe and Alun Pugh, Cysgod y Foel, Ruthin
Kirsty & Sandra Newell, Bryn Rhos, Gellifor
Shaun Darlington (no address provided)

Summary of planning based representations in objection:

General comments

Gellifor is a very small village with poor road links and no amenities, the addition of 14 more dwellings would require further investment into the roads to the small village; there is no need for these properties; the village needs affordable homes/ homes for young families; the original plans were for 10 houses not the 14 that are on the plans now.

Suggestions that the hedgerow is maintained with access point and roadway behind hedge. which would protect the hedge and wildlife, keep the character and reduces the catastrophic disruption to residents of creating/widening a roadway.

A car park is offered as a community benefit, recognising the school is short on parking spaces, but this simply encourages yet more car use.

This space could be used for something far more sustainable and useful. The village needs a children's play area and a community hub.

Highways

Additional houses would pose a danger due to roads accessing and passing through the village; link roads are not able to cope with more traffic; there is the proposal for widening the

road to gain access to the properties and a lot of driveways, widening the road will take away the integrity of the feel of the village

Impact on wildlife and climate change

Loss of wildlife in the hedgerow; Council should insist on these new houses having heat pumps or other non carbon intensive technology; should insist on electric charging points.

Visual amenity

Council should insist on bricks as much of the village is brick, white render out of keeping and no place in a rural environment and at odd with the area and more visually intrusive; the proposed finish on the properties is not at all in-keeping with the majority of properties within the village; the designs make no attempt to fit in with the rest the village.

EXPIRY DATE OF APPLICATION: 11/12/2024

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for the erection of 14 dwellings and one detached garage, including the formation of vehicular accesses and parking, formation of visitor car park, landscaping and associated works on land adjacent to Peniarth in Gellifor.
- 1.1.2 The proposal is to erect 14 dwellings, comprising a mix of 5 different house types consisting of detached and semi-detached houses. The properties would all be 2 storey in height.
- 1.1.3 13 open market dwellings are proposed with 1 on site affordable dwelling provided. The open market housing mix is as follows: -

Housing Type	No of units	Percentage
2 bed	4	31%
3 bed houses	4	31%
4 bed + houses	5	38%
Total	13	100%

- 1.1.4 The affordable dwelling would be a 3-bedroom semi detached property. A commuted sum is offered for the remaining 0.4.
- 1.1.5 The properties would be constructed using facing brick and sections of pale coloured render with grey roof tiles.
- 1.1.6 Accesses would be formed off the highway (some shared) and towards the western end of the site a car park is shown for use by the community. A footway is shown to be provided along the site frontage along with new native hedgerows and wildflower areas shown at the front of the site, with additional native hedgerow and tree planting shown along the rear boundaries.
- 1.1.7 Foul water would connect to the existing mains sewer with surface water dealt with by soakaways.
- 1.1.8 The proposed site layout is shown on the plan below:



The 5 house types proposed are shown at the front of the report.

1.2 Other relevant information/supporting documents in the application

1.2.1 In addition to the existing and proposed plans, the following documents have been submitted with the application:

- i) Planning, Design and Access Statement
- ii) Pre-Application Consultation Report
- iii) Ecological Appraisal
- iv) Tree Survey
- (v) Green Infrastructure Statement
- (vi) Landscaping and ecology plan with landscaping specifications

1.3 Description of site and surroundings

1.3.1 The site is a strip of 0.55ha of agricultural land located within the village of Gellifor. It is roughly rectangular in shape, sloping gently down from the east adjacent to Peniarth in a westerly direction to the housing estate 'Maes Hafal'.

1.3.2 Opposite the site are residential properties of a mixed design with bungalows and houses, constructed with brick, render and pebbledash. The site backs onto open fields to the rear.

1.3.3 There is a mature hedgerow along the frontage with the road and a field boundary hedge within the site. There is a mature oak tree to the rear of the site (outside the application site boundary)

1.3.4 Ysgol Gellifor is located to the south west of the site.

1.4 Relevant planning constraints/considerations

1.4.1 The site is located within the development boundary of Gellifor as defined by the Local Development Plan (LDP).

1.4.2 The site is allocated for housing by Policy BSC 1 in the LDP.

1.5 Relevant planning history

1.5.1 Outline planning permission was granted in 2019 for the development of 0.55ha of land for residential purposes and provision of school car parking area (outline application with all matters reserved). This permission was not implemented.

1.6 Developments/changes since the original submission

1.6.1 In response to various consultation responses and concerns and discussions with the Planning and Highway Officers, amended and additional plans/information have been submitted.

1.7 Other relevant background information

1.7.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 22/2014/0626/PO Development of 0.55ha of land for residential purposes and provision of school car parking area (outline application with all matters reserved) GRANTED at Planning Committee on 17th July 2019

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 BSC1 – Growth Strategy for Denbighshire

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy BSC11 – Recreation and open space

Policy BSC12 – Community facilities

Policy VOE 5 – Conservation of natural resources

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Affordable Housing

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Recreational Public Open Space

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note: Residential Space Standards

Supplementary Planning Guidance Note: Trees & Landscaping

Government Policy / Guidance

Planning Policy Wales (Edition 12, 2024)

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes

TAN 2: Planning and Affordable Housing (2006)

TAN 5: Nature Conservation and Planning (2009)

TAN 12: Design (2016)

TAN 16: Sport, Recreation and Open Space (2009)

TAN 18: Transport (2007)

TAN 20: Planning and the Welsh Language (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 12, 2024) 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 12) 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 Density and housing type and mix
- 4.1.3 Affordable housing
- 4.1.4 Visual amenity
- 4.1.5 Residential amenity
- 4.1.6 Ecology
- 4.1.7 Drainage (including flooding)
- 4.1.8 Highways (including access and parking)
- 4.1.9 Affordable Housing
- 4.1.10 Open Space
- 4.1.11 Education
- 4.1.12 Impact on Welsh Language and Social and Cultural Fabric

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages. It encourages provision of a range of house sizes, types and tenure to reflect local need and demand and the Local Housing market assessment.

The site is located within the development boundary of Gellifor which is defined as a village in the Local Development Plan (LDP) and is an allocated housing site under Policy BSC1.

The principle of housing development is therefore considered acceptable and Officers would suggest the acceptability of the particular proposals therefore has to rest on assessment of the local impacts, which are reviewed within the following sections of the report.

4.2.2 Density and housing type and mix

Policy RD1 test ii) seeks to make the most efficient use of land and advocates a minimum density of 35 dwellings per hectare unless there are local circumstances that dictate a lower density.

Policy BSC 1 of the Local Development Plan states that developers will be expected to provide a range of house sizes, types and tenures to reflect local need and demand.

Supplementary Planning Guidance Note 'Residential Development' reinforces the need for developments to make the best use of land available for residential development in line with Policy RD 1.

There are some local comments that the size of dwellings proposed does not meet the local demand and smaller properties should be included.

Density

Policy RD1 states that 35 dwellings per hectare should be achieved.

The net density of the proposal for 14 dwellings on the whole site measuring 0.55 ha represents a density of 18 dwellings per hectare.

If the area of the car park (approx. 400sq m) is deducted from the site development area this would equate to an area of 0.51ha and a density of 27 dwellings per hectare.

Officers considers the proposed density is appropriate.

Housing Type and Mix

Policy BSC1 sets out that '*Developers will be expected to provide a range of house sizes, types and tenure to reflect local need and demand and the results of the Local Housing Market Assessment.*' This requirement goes beyond the provision of market and affordable houses, and includes the mix of houses addressing the findings and results of the latest Local Housing Market Assessment (LHMA).

The proposed development will comprise the following housing mix in comparison to the recommended mix within the latest Local Housing Market Assessment (LHMA).

Housing Mix				
	1 + 2 bed	3 bed	4 bed+	Total
LHMA Recommending Housing Mix (Market Housing)	30%	35%	35%	100%
Proposal	31%	31%	38%	100%

The proposed housing mix is in line with the LHMA and therefore considered acceptable offering a range of house types that meets local need and demand satisfying the requirements of Policy BSC 1. With respect to the local comments regarding the size of the units, the proposal is in line with the LHMA.

In conclusion, it is considered that the proposals would provide for an appropriate density, mix and type of dwellings, consistent with the intentions of Policy BSC1 and RD1.

4.2.3 Affordable housing

Local Development Plan Policy BSC 4 seeks to ensure that all developments of 3 or more residential units provide a minimum of 10% affordable housing. Developments of 10 or more are expected to make on site provision and development of less than 10 residential are expected to make provision by way of financial contribution.

1 affordable dwelling is proposed as part of the development with a commuted sum offered for the 0.4 which is in accordance with the 10% requirement set out in Policy BSC4. The proposal is to provide a 3 bed semi detached property. A commuted sum is offered for the remaining 0.4 which based on the calculation in the Affordable Housing SPG (Appendix 2) amounts to £66,878.56.

The Strategic Housing & Policy Officer confirms that this level and type of affordable housing provision reflects the affordable housing need in the area.

The Community Council have commented that there should be more affordable housing.

The proposal is in line with the Councils Affordable Housing policy of 10% which is set out in Policy BSC 4. Based on adopted Local Development Plan policy, the proposal is compliant and additional affordable housing units cannot be requested.

The provision of affordable housing is a policy requirement, and it is recommended that should permission be granted, that it be subject to a Section 106 legal agreement to secure the delivery of the 4 affordable dwellings and payment of £66,878.56 commuted sum. This would need to be completed prior to the decision notice being released.

4.2.4 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 (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.

There are objections to the proposal based on potential visual impacts arising from the development with particular concerns regarding the removal of the front hedge,

concerns that the layout, style and appearance of the new dwellings would be out of character with the area and that there is a lot of parking along the frontage.

The layout of the site and the design of the housing proposed can be seen from the layout and house type plans included within/and at the front of this report.

Officers accept that there will inevitably be some visual amenity impact from housing development in this location which is currently agricultural land in the centre of the village of Gellifor. However, overall the layout and submitted detail demonstrates that an acceptable standard of development can be achieved.

In response to some of the detailed comments received: Due to the narrow shape of the site, it isn't possible to avoid a 'linear' development and there are also limited options to amend parking provision. Parking at the front of properties is relatively 'typical' and whilst it is acknowledged that all parking is to the front, there are landscaping plans to soften its appearance.

In relation to design and materials, the site is located in an area of mixed property styles with no unique character or features present. The properties nearby are a mix of houses and bungalows of varied styles. It is therefore considered that the mix of house types and designs proposed across the site, along with the landscaping shown would be acceptable in this location. The dwellings are shown to be constructed primarily of facing brick with some small sections of pale coloured render. Materials in the area are also varied with some being brick, some rendered, some pebble dashed and some are a combination of brick and render. The materials shown on the proposed house types are considered acceptable overall however a condition requiring approval of the specific external materials would be required to ensure an appropriate standard and quality of development that fits well in the area.

The proposal includes the removal of the boundary hedge along the road frontage and the field boundary hedge within the site. The mature Oak tree to the rear of the site is outside the application site.

As previously set out, representations have been received with concerns relating to the loss of the hedge along the frontage of the site and its impact on the visual amenity and character of the area. Suggestions that the hedge could be retained with alternative access arrangements have been made by a number of consultees, with the Community Council asking that if it isn't possible to retain the hedge, can the road be widened further to allow traffic to pass freely.

The front boundary hedge is shown to facilitate the formation of several access points. Also proposed is road widening and the provision of a pavement along the site frontage. The road would be widened to 4.8m with a 2m wide footway along the whole frontage on the site to enable an accessible and safe link to local amenities and other parts of the village, and beyond.

Acknowledging these comments and concerns, Planning and Highway Officers met with the applicant to discuss whether alternative access/ highway arrangements could be achieved in order to retain the hedge, or parts of the hedge.

The applicant has highlighted that the plans have been developed on the principles of the previous permission given in 2019. In 2019 concerns were submitted from the Community Council over the narrowness of the road and road widening was requested/recommended. The plans were amended having regard to the local concerns, and in discussion with the Highway Officer the plans were amended and ultimately approved the formation of several access points, road widening and the provision of a pavement along the site frontage. The hedge was shown to be removed.

Alternative options have been considered that would allow sections of the hedge to be retained, such as the suggestion that there could be 2 access points at each end of the site with the access road running behind the hedge. Highway Officers have however advised that in order to achieve adequate visibility at those 2 access points it would still be necessary to remove the hedge. Also, in response to the Community Council that if the hedge cannot be retained that the road should be widened further than currently shown, Highway Officers have advised to widen the road further would only encourage an increase in vehicle speeds along this stretch of road.

In conclusion, alternative options have been explored at the request of Officers, the Community Council and local residents. However in order to achieve safe access arrangements, highway improvements for the development itself and for the benefit of the village, considerable significant weight is given to highway safety considerations and the proposal as submitted is considered acceptable.

It is fully acknowledged that the loss of the hedge will have an impact on the village as it is an attractive feature at the centre of the village. Amended landscaping proposals have been designed and submitted to mitigate the loss of the hedge with extensive areas of native hedge planting, wild flower areas and new trees proposed (the landscaping and ecology plan is shown at the front of the report). Officers however acknowledge that it will take time for new landscaping to mature.

In conclusion, having regard to the location, siting, scale, form and landscaping of the development, subject to conditions, Officers do not consider the proposal would give rise to unacceptable impacts on visual amenity and the proposal is considered to be in accordance with adopted planning policy.

4.2.5 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.

The Residential Design Guidance and the Residential Development SPG offers advice and guidance on the principles to be adopted when designing new residential development.

SPG guidance specifies minimum internal floorspace standards for new developments and requires that 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

No representations have been received raising specific residential amenity concerns from the new dwellings, only a concern regarding disturbance during the construction phase.

To the west of the site (adjacent to the proposed car park) are residential properties on Maes Hafal, opposite the site are residential properties and to the east is Peniarth Farm.

With regards the relationship of the new development with existing development, the new dwellings are sited and orientated with sufficient spacing so as not to impact on existing dwellings.

In relation to the concern regarding disturbance during the construction phase, a Construction Method Statement condition is suggested which would enable some control over the management and operation of the site during construction.

In terms of the amenity of the dwellings proposed, the proposed floor plans for each housing type would meet or exceed the minimum floor space standards set out in the Residential Space Standards SPG and the proposed site plans show sufficient garden and parking space is provided for each property.

In conclusion, having regard to the location, siting, scale and form of the development, Officers do not consider the proposal would give rise to unacceptable impacts on residential amenity and the proposal is considered to be in accordance with adopted planning policy.

4.2.6 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 5.2) 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.

Local representations have been received raising concerns over the ecological impacts of the development due to the loss of the hedge.

An Ecological Appraisal has been submitted with the application along with a landscaping and ecology plan which landscaping and biodiversity enhancement details and specifications. In addition to the new landscaping proposed, a bat and bird box is shown on each new property. NRW and the County Ecologist have been consulted on all of the submitted information and neither have raised an objection to the proposal subject to a number of planning conditions which are recommended to ensure there are no negative impacts on protected species or the nature conservation value of the site and to ensure all reasonable steps have been taken to maintain and enhance biodiversity.

Officers consider the suggested conditions to be reasonable to ensure there are no negative impacts on protected species or the nature conservation value of the site and all reasonable steps have been taken to maintain and enhance biodiversity as required by Section 6.4 of Planning Policy Wales, Edition 11. Subject to the inclusion of conditions, it is suggested ecological interests can be suitably protected in relation to a development on this site.

4.2.7 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 Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

No representations have been submitted raising drainage concerns.

The site is not within an area of known flood risk. The application is not supported by drainage details or a strategy however states that the foul drainage would connect to the existing mains and surface water drainage would be dealt with by soakaways.

Dwr Cymru/ Welsh Water (DCWW) have confirmed there are no objections, capacity exists within the public sewerage network in order to receive the domestic foul flows

from the proposed development. DCWW also request a planning condition is imposed requesting a detailed drainage strategy for the site is submitted.

The Council's Flood Risk Manager has advised that approval will be required from the SUDs Approval Body (SAB) which is a completely separate process to planning and is covered by drainage legislation. SAB will control and will only be approved if the drainage details are acceptable and kept below greenfield run off rates. The development could not proceed without SAB first being in place. It is stressed that these regulatory controls are parallel to and outside of the planning process.

Given the comments of the technical consultees, it is considered reasonable to assume that an acceptable drainage scheme can be achieved on the site and delivered through the SuDS Approval Body process. The proposals are therefore considered acceptable in relation to drainage, subject to the inclusion of a condition.

4.2.8 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.

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 some local representations concerning the highway impacts of the proposal generally regarding the impact additional traffic will have in the area. The Community Council have also commented that all dwellings do not have adequate parking.

The Highway Officer's response on the application is set out in detail in the Consultation Responses section of the report. It refers to a range of issues relating to the application including the capacity of the existing network, accessibility, the detailing of the site access, aspects of the site layout, and parking matters. The main points of relevance are:

Capacity of Existing Network

The site is allocated in the Local Development Plan for housing and outline planning permission was gained under code no 22/2014/0626, whilst the permission has lapsed, the principle of development has been previously accepted. The LDP provides as indicative figure of 10 dwellings and the previous outline planning permission was shown on an indicative layout plan, this current application shows 4 additional dwellings. There are historic and existing parking issues on this road, particular at peak times, in association with the school. It is proposed to provide a school car parking area on land in control of the applicant to alleviate these issues.

I note the Town Council has concerns on this increase in house numbers and the likely traffic generated, in particular to the parking area for the village and school, I consider that this offer will still be of benefit to the community and school as its use

will likely to be staggered throughout the day. The provision of essential, additional parking will alleviate these issues for the benefit of the school and the village, and this offer is still welcomed by the Local Authority. I have included a condition to deal with the management of the said car park.

The road fronting the development will be widened to 4.8m and a 2m footway will be provided along the whole site frontage to enable an accessible and safe link to the amenities.

I note the Town Council's comments in relation to widening the road further and to provide 2 vehicular accesses at either end of the site with access roads behind the hedge. Lengthy discussions have taken place with the Planning Officer/Highways, and it was concluded that this option would not be viable. To achieve visibility splays at the access points it would still be necessary to remove the hedge and to widen the road further would only encourage an increase in vehicle speeds along this stretch of road. It is considered that the proposed highway width and layout is adequate to serve the development and in accordance with D.C. C's Standards.

Accessibility

Gellifor is small village and is largely of residential settlement. Community facilities are limited but include a primary school and chapel. Due to the location, means of travelling to and from the site will mostly be reliant by car, however, the local bus stop is within easy walking distance and with the provision of a new footway along the site frontage will provide a safer pedestrian link to local amenities.

Having regard to the location of the existing site, the highway network and proposed highway improvements it is considered that the proposals are acceptable in terms of accessibility and the policy requirements identified above.

Site Access

Given the layout and scale of this land the previous outline permission with all matters reserved showed on the indicative site layout plan how safe access arrangements could be achieved. I do not consider that 4 additional dwellings would be detrimental to highway safety given the proposed highway works can still be accommodated demonstrating how safe access arrangements can be achieved.

The proposed new footway along the whole site frontage and the road widening provides a safe and convenience access to village amenities and a suitably worded condition will be imposed to ensure that vehicle accesses comply with standards.

Site Layout (including roads, pavements, manoeuvring, lighting etc.)

Criteria vii) of Policy RD1 of the LDP states that development should provide safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles together with adequate parking, services and manoeuvring space.

At the detailed design stage a full assessment will be carried out for the provision of street lighting. The footway and road widening will accord with D.C.C. standards and a suitable legal agreement will be in place for the adoption of the road widening scheme.

The design of the proposed layout for all future users can effectively access the site and have safe access to the wider pedestrian and highway network.

Parking

The development provides adequate parking for each plot in accordance with D.C.C's parking standards.

The new footway and road widening proposed will provide a safer link to the existing public transport services within the village.

Having regard to the detailed assessments above, Highways Officers would not object to the proposed development, subject to appropriate conditional controls

In conclusion, having regard to the detailed assessments above, taking into consideration the capacity of the existing highway network, accessibility, site access and site layout, Highways Officers would see no reason to object to the proposed development, subject to appropriate conditional controls.

4.2.9 Open Space

Policy BSC 11 specifies that all housing developments should make adequate provision for recreation and open space. All such schemes put increased demand on existing open spaces and facilities and therefore the policy applies to all developments including single dwellings.

Table 4 in the Open Space SPG adopted in March 2017 sets out thresholds for onsite provision and financial contributions. It specifies that for schemes of 1 – 30 dwellings, open space obligations should be met through financial contributions rather than onsite provision, however 5.4.9 of the SPG does state that the thresholds are indicative, and onsite provision for sites of less than 30 will be considered on their merits.

The proposal is for 14 units which generates the requirement for 515.2 square metres of Community Recreational Open Space (CROS) and 257.6 square metres of Children's Play Space (CPA).

In line with SPG Planning Obligations (2016), the Children's Play Space does not need to be provided on site as the threshold of 30 homes is not exceeded. A commuted sum payment of £17,321.02 is therefore required which would be paid towards enhancing existing open spaces in the area.

4.2.10 Education

Objective 12 of Chapter 4 of the Local Development Plan identifies that the Plan will ensure that an adequate level of community infrastructure (including schools) will be provided alongside new developments. Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development.

Paragraph 5.26 of the site development brief states that financial contributions towards education provision will not be required.

The Education Officer has confirmed that based on the latest school roll information available for the local primary and secondary schools, a financial contribution is not required.

4.2.11 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Planning Policy Wales (PPW 11); TAN 20 and Policy RD 5 of the Local Development Plan.

TAN 20 (2017) provides the most up to date guidance on the consideration of the Welsh Language and paragraph 3.1.3 states that planning applications should not routinely be subject to Welsh Language impact assessment, as this would duplicate the Sustainability Appraisal (SA) and LDP site selection process. An assessment of the impacts to the Welsh Language of a development at this site would therefore have been undertaken during the site allocation process at the plan preparation stage of the adopted LDP.

There are no representations expressing concerns over the potential impact of the development on the Welsh language.

The planning system does not attempt to discriminate between individuals on the basis of their linguistic ability nor control housing occupancy on linguistic grounds. According to the Welsh Language SPG, a housing survey carried out in 2011 by the Authority revealed that 67% of the people living in new-build housing in the County had moved from within Denbighshire with an additional 27% from elsewhere in Wales. Of the new occupants 24.9% were fluent Welsh speakers which is very similar to the overall 2011 census figure of 24.6%. This survey strongly indicates that a high percentage of new occupants were either County residents or from other areas of Wales (New Housing Occupancy Survey Denbighshire: December 2011).

A Community Linguistic Assessment has not been submitted or requested in this instance as the site has been allocated for housing in the Local Development Plan, therefore an assessment has been undertaken as part of the LDP process. It is however suggested that a condition is attached to any permission which requires the submission of a strategy which sets out mitigation measures to reduce adverse linguistic, social and cultural effects.

The Council is also keen that new development sites have historically and culturally relevant names when proposing new names for streets in the County and Welsh Street names will be put forward for consideration.

Other matters

Community Council comments not addressed within the main report:

Number of dwellings and size of car park

The outline planning permission previously granted in 2019 had all matters reserved for further approval and approved 'residential development' of the site. The number of dwellings (10) was shown for indication only and was not approved in the application.

Officers would like to stress that the whole site is allocated for housing development in the Local Development Plan. The applicant is under no obligation to provide a parking area for the community, however this was negotiated and agreed with the applicant in 2019 and the current applicant is honouring this agreement by showing a car park of the **same size**. There are 11 spaces shown (not 10 as previously agreed), 4 are shown as 'Visitor' spaces and it is envisaged that the parking area would be a shared car park accessible to both residents and visitors as appropriate.

A condition is suggested to secure appropriate details (surfacing, gates etc) along with the management arrangements for the car park.

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.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. A public authority must, in the exercise of its functions, have due regard to advancing equality.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

5. SUMMARY AND CONCLUSIONS:

5.1 The report sets out the main planning issues which appear relevant to the consideration of the application on an allocated housing site within the adopted LDP and concludes that the proposal is acceptable having regard to relevant policies and guidance.

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

1. Completion of a Section 106 Obligation to secure the Affordable housing provision of 1 affordable dwelling on site and a commuted sum of £66,878.56 and an open space contribution of £17,321.02

The precise wording of the Section 106 would be a matter for the legal officer to finalise. In the event of failure to complete the Section 106 agreement within 12 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 following Conditions:

The Certificate of Decision would not be released until the completion of the Section 106 Obligation.

RECOMMENDATION: GRANT- subject to the following conditions:

1. The development to which this permission relates shall be begun no later than 5 years from the date of the legal agreement
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) Existing Site Location Plan (Drawing No. 19.019.A001 Rev P03) - Received 8 August 2024
(ii) Existing Site Plan (Drawing No. 19.019.A002 Rev P03) - Received 8 August 2024 (iii) Topographical Survey (Drawing No. 8762/1) - Received 8 August 2024 (iv) Proposed Site Location Plan (Drawing No. 19.019.A003 Rev P04) - Received 8 August 2024 (v) Proposed Site Plan (Drawing No. 19.019.A004 Rev P05) - Received 8 August 2024 (vi) House Type 1 - Proposed Ground Floor Plan (Drawing No. 19.019.A101 Rev P02) - Received 8 August 2024 (vii) House Type 1 - Proposed First Floor Plan (Drawing No. 19.019.A102 Rev P02) - Received 8 August 2024 (viii) House Type 1 - Proposed Roof Plan (Drawing No. 19.019.A103 Rev P02) - Received 8 August 2024 (ix) House Type 1 - Proposed Elevations (1 of 4) (Drawing No. 19.019.A104 Rev P02) - Received 8 August 2024 (x) House Type 1 - Proposed Elevations (2 of 4) (Drawing No. 19.019.A105 Rev P02) - Received 8 August 2024 (xi) House Type 1 - Proposed Elevations (3 of 4) (Drawing No. 19.019.A106 Rev P02) - Received 8 August 2024 (xii) House Type 1 - Proposed Elevations (4 of 4) (Drawing No. 19.019.A107

Rev P02) - Received 8 August 2024 (xiii) House Type 2 - Proposed Ground Floor Plan (Drawing No. 19.019.A201 Rev P02) - Received 8 August 2024 (xiv) House Type 2 - Proposed First Floor Plan (Drawing No. 19.019.A202 Rev P02) - Received 8 August 2024 (xv) House Type 2 - Proposed Roof Plan (Drawing No. 19.019.A203 Rev P02) - Received 8 August 2024 (xvi) House Type 2 - Proposed Elevations (1 of 4) (Drawing No. 19.019.A204 Rev P02) - Received 8 August 2024 (xvii) House Type 2 - Proposed Elevations (2 of 4) (Drawing No. 19.019.A205 Rev P02) - Received 8 August 2024 (xviii) House Type 2 - Proposed Elevations (3 of 4) (Drawing No. 19.019.A206 Rev P02) - Received 8 August 2024 (xix) House Type 2 - Proposed Elevations (4 of 4) (Drawing No. 19.019.A207 Rev P02) - Received 8 August 2024 (xx) House Type 3 - Proposed Ground Floor Plan (Drawing No. 19.019.A301 Rev P02) - Received 8 August 2024 (xxi) House Type 3 - Proposed First Floor Plan (Drawing No. 19.019.A302 Rev P02) - Received 8 August 2024 (xxii) House Type 3 - Proposed Roof Plan (Drawing No. 19.019.A303 Rev P02) - Received 8 August 2024 (xxiii) House Type 3 - Proposed Elevations (1 of 4) (Drawing No. 19.019.A304 Rev P02) - Received 8 August 2024 (xxiv) House Type 3 - Proposed Elevations (2 of 4) (Drawing No. 19.019.A305 Rev P02) - Received 8 August 2024 (xxv) House Type 3 - Proposed Elevations (3 of 4) (Drawing No. 19.019.A306 Rev P02) - Received 8 August 2024 (xxvi) House Type 3 - Proposed Elevations (4 of 4) (Drawing No. 19.019.A307 Rev P02) - Received 8 August 2024 (xxvii) House Type 4 - Proposed Ground Floor Plan (Drawing No. 19.019.A401 Rev P01) - Received 8 August 2024 (xxviii) House Type 4 - Proposed First Floor Plan (Drawing No. 19.019.A402 Rev P02) - Received 8 August 2024 (xxix) House Type 4 - Proposed Roof Plan (Drawing No. 19.019.A403 Rev P02) - Received 8 August 2024 (xxx) House Type 4 - Proposed Elevations (1 of 3) (Drawing No. 19.019.A404 Rev P02) - Received 8 August 2024 (xxxi) House Type 4 - Proposed Elevations (2 of 3) (Drawing No. 19.019.A405 Rev P02) - Received 8 August 2024 (xxxii) House Type 4 - Proposed Elevations (3 of 3) (Drawing No. 19.019.A406 Rev P02) - Received 8 August 2024 (xxxiii) House Type 5 - Proposed Ground Floor Plan (Drawing No. 19.019.A501 Rev P02) - Received 17 October 2024 (xxxiv) House Type 5 - Proposed First Floor Plan (Drawing No. 19.019.A502 Rev P03) - Received 28 October 2024 (xxxv) House Type 5 - Proposed Roof Plan (Drawing No. 19.019.A503 Rev P02) - Received 17 October 2024 (xxxvi) House Type 5 - Proposed Elevations (1 of 3) (Drawing No. 19.019.A504 Rev P01) - Received 8 August 2024 (xxxvii) House Type 5 - Proposed Elevations (2 of 3) (Drawing No. 19.019.A505 Rev P01) - Received 8 August 2024 (xxxviii) House Type 5 - Proposed Elevations (3 of 3) (Drawing No. 19.019.A505 Rev P01) - Received 8 August 2024 (xxxix) Proposed Double Garage Plans (Drawing No. 19.019.A601 Rev P02) - Received 8 August 2024 (xl) Proposed Double Garage Elevations (Drawing No. 19.019.A602 Rev P02) - Received 8 August 2024 (xli) Planning, Design and Access Statement (Rev P01) - Received 23 January 2024 (xlii) Ecological Appraisal (Ver 2, PJ Ecological Solutions) - Received 23 January 2024 (xliii) SAB Drainage Strategy Costs (Ref: 14905, Waterloo dated 5/9/23) - Received 23 January 2024 (xliv) Pre-Application Consultation Report (Rev P01, The Building Plot) - Received 4 April 2024 (xlv) Tree Survey: BS5837:2012 (Treasure dated 22/3/24) - Received 4 April 2024 (xlvi) Green Infrastructure Statement (v4, PJ Ecological Solutions, dated August 2024) Received 8 August 2024 (xlvii) Proposed Landscape & Ecology Plan (Drawing No. 19.019.A004 Rev P04) - Received 8 August 2024 (xlviii) Landscape Specification - Received 8 August 2024

3. **PRE COMMENCEMENT - Drainage**

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul and surface water. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

4. **Biodiversity, landscaping and trees**

The development hereby approved shall be carried out in strict accordance with the biodiversity enhancement measures set out on the approved Proposed Landscape & Ecology plan (Drawing No 19.019.A004) and shall include at least fourteen Vivara Pro Build-in Woodstone bat tubes/boxes, fourteen Vivara Pro Build-in Woodstone swift boxes, fourteen native fruit trees, and nine sessile oak trees.

5. The development shall be carried out strictly in accordance with the Precautionary Method of Working set out in Appendix 1 of the approved Preliminary Protected Species Assessment (P J Ecological Solutions, July 2022).
6. Access for hedgehogs (at least 13cm x 13cm) must be made at ground level through any boundary features around the development and through the fencing used to separate the gardens of each property, to allow the movement of hedgehogs throughout the site.
7. No dwellings shall be permitted to be occupied until the written agreement of the Local Planning Authority has been obtained to detailed proposals showing an external lighting/internal light spillage scheme, designed to avoid negative impacts on bats. The approved measures shall be implemented in full.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the first unit. 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.
9. The development hereby approved shall proceed in strict accordance with the details contained within the Arboricultural Statement (Tresure 22/3/24).
10. Notwithstanding the plans hereby approved, prior to their installation, full details of the new boundary fencing within and around the site shall be submitted to and approved in writing by the Local Planning Authority.
The approved details shall be implemented in full prior to the occupation of any dwelling.
11. **PRE COMMENCEMENT - Highway**
No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailed phasing, layout, design, means of traffic calming, street lighting, signing, drainage and construction of the access/accesses to the site, footway links and associated highway works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with such approved details
12. **PRE COMMENCEMENT**
No works in connection with the development 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) the arrangements for the parking of vehicles of site operatives and visitors;
 - b) the location of any construction compound and measures to reinstate the land following completion of the works;
 - c) the hours of site works and deliveries;
If works or deliveries are required outside of approved hours, you must give at least 48 hours notice in writing to the Local Planning Authority advising what works are required, why they cannot be carried out during approved working hours, what mitigation is proposed and the duration of out of hours working.
 - d) the proposed routing of delivery vehicles, and directional signing along public roads where necessary;
 - e) the location of areas designated for the loading, unloading, and storage of plant and materials;
 - f) the proposals for security fencing or hoardings around the site;
 - g) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses;
 - h) measures to minimise noise and disturbance to neighbouring residential properties / properties in the vicinity of the site;
 - i) wheel washing facilities;
 - j) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - k) any proposed external lighting.
 - l) the piling methods, in the event that this form of foundation construction is proposed.

If Piling operations are not currently proposed, should unexpected ground conditions be encountered, no piling works shall be carried out without the prior written approval of the Local Planning Authority to the method, location and timing of piling operations, including details of measures to prevent and / or minimise the potential for ground and water pollution, noise and vibration.

m) A Communications protocol setting out procedures for dialogue with the community throughout the construction phase and the management of complaints.

The development shall be carried out strictly in accordance with the approved elements of the Construction Method Statement throughout the construction period.

13. **Materials**

No dwelling shall be constructed above finished slab level until the written approval of the Local Planning Authority has been obtained to the details of all the materials and finishes it is proposed to use thereon, including, where relevant, the texture, type and colour of the finish. The development shall be undertaken strictly in accordance with the details approved under this condition.

14. **PRE COMMENCEMENT - Other**

No development shall be permitted to commence on the provision of the school car park until full details of the following have been submitted to and agreed in writing by the Local Planning Authority:

a. details of the layout, access, gates, surfacing, boundary treatment, landscaping and any signage required.

b. a car park management agreement, to include for how the car park will be operated, managed and secured.

The development shall only proceed in accordance with the approved details

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 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.
4. In order to maintain and enhance biodiversity
5. To maintain the favourable conservation status of protected species
6. In the interest of the biodiversity of the area.
7. In the interest of the biodiversity of the area
8. In the interest of visual amenity and enhancing the biodiversity of the area.
9. In the interest of preserving arboricultural and ecological interests
10. In the interest of visual and residential amenity
11. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
12. In the interests of protecting public and residential amenity, pollution prevention and control, and of the safety and the free flow of traffic on the adjoining highway
13. In the interests of visual amenity
14. In the interest of the free and safe movement of traffic on the adjacent highway and in the interest of visual amenity

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of the Local Government Act 1972.

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