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Tel: 01824 706800 Fax: 01824 706709

Heading:
01/2012/1607/PO
Former Wool Depot
Grove Road Denbigh

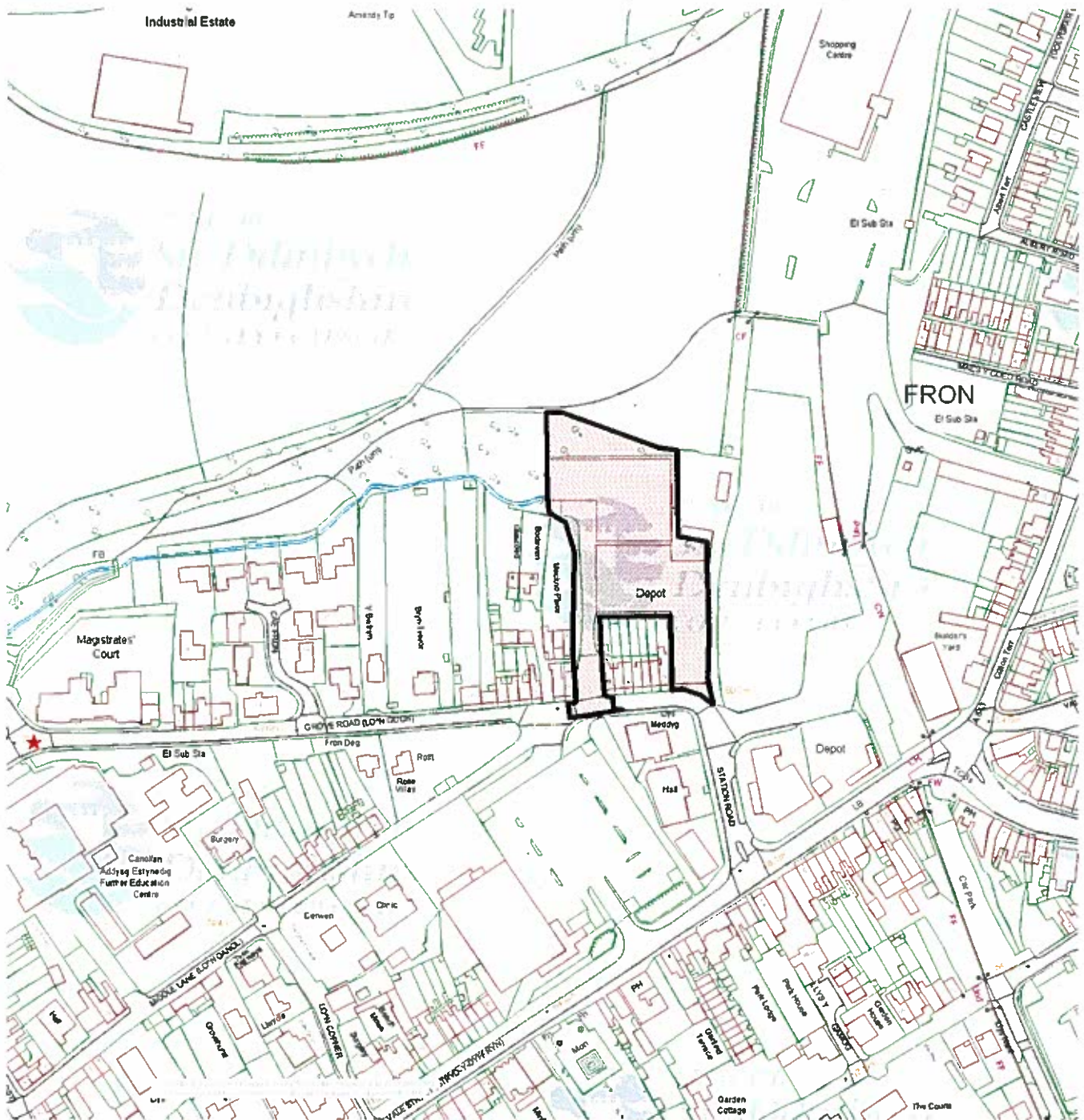
 Application Site

Date 6/1/2014
Centre = 305606 E 366544 N

Scale 1/2500



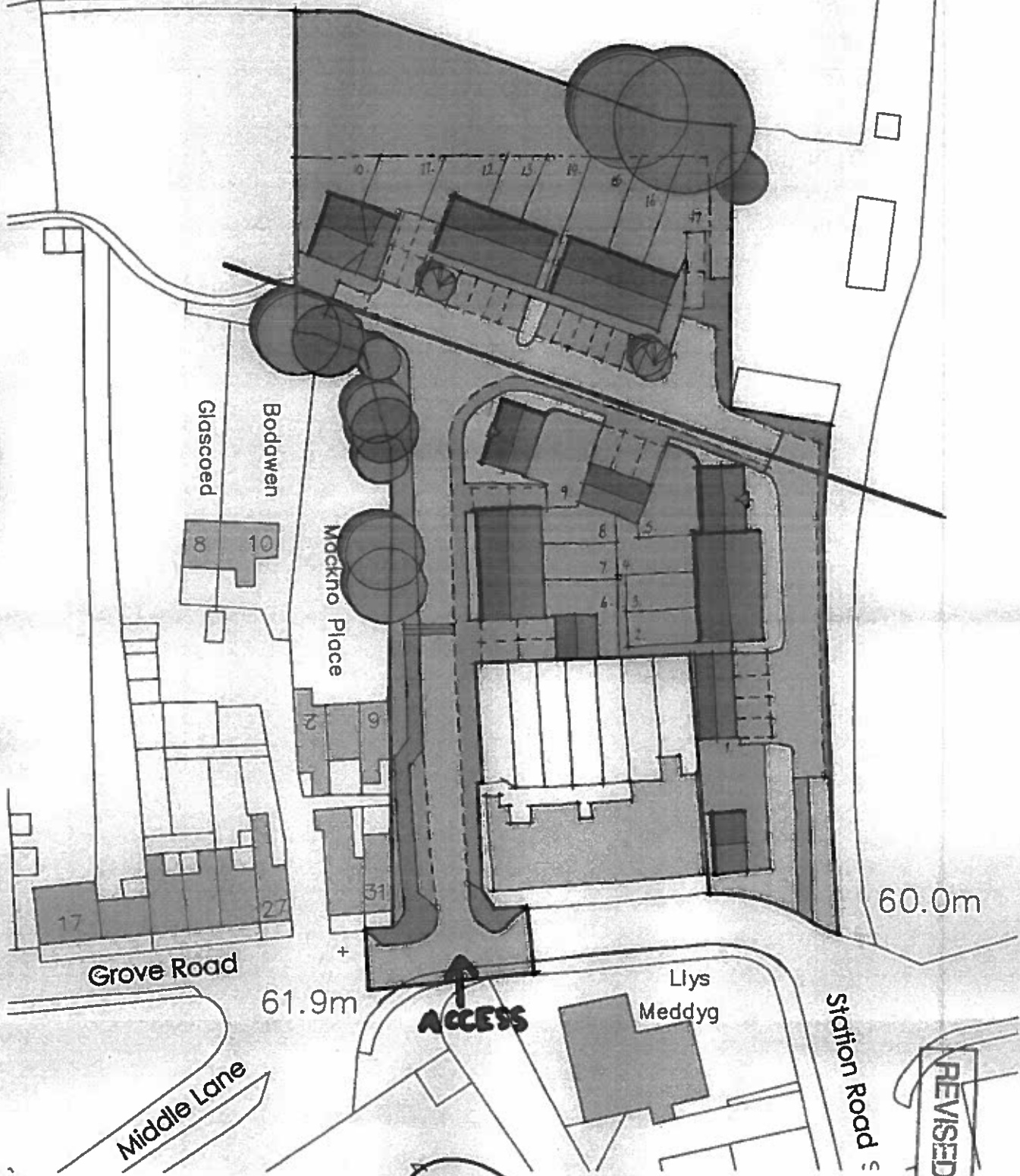
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi
© Hawffraint y Goron. Mae atgynhychru heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.

ILLUSTRATIVE SITE LAYOUT



60.0m

61.9m

ACCESS

REVISED PLAN

01 / 2012 / 16071 / P0

12-036 401 24.08.13
ORIGIN3
 Town & Country Planning
 17, The Quadrant, Denbigh, Gwynedd, LL55 2JG
 www.origin3.co.uk
 info@origin3.co.uk



Grove Road, Denbigh
Illustrative Site Layout
 LXB Retail Properties Plc



www.denbighshire.gov.uk

**EXTANT PLANNING PERMISSION
- STATION YARD SITE**

01/ 2007/ 1 4 4 4 / P F

- KEY**
- SITE BOUNDARY
 - STONE & CONCRETE RETAINING WALL
 - PROPOSED LEVELS
 - EXISTING LEVELS
 - MAIN PEDESTRIAN ROUTE

REVISED PLAN

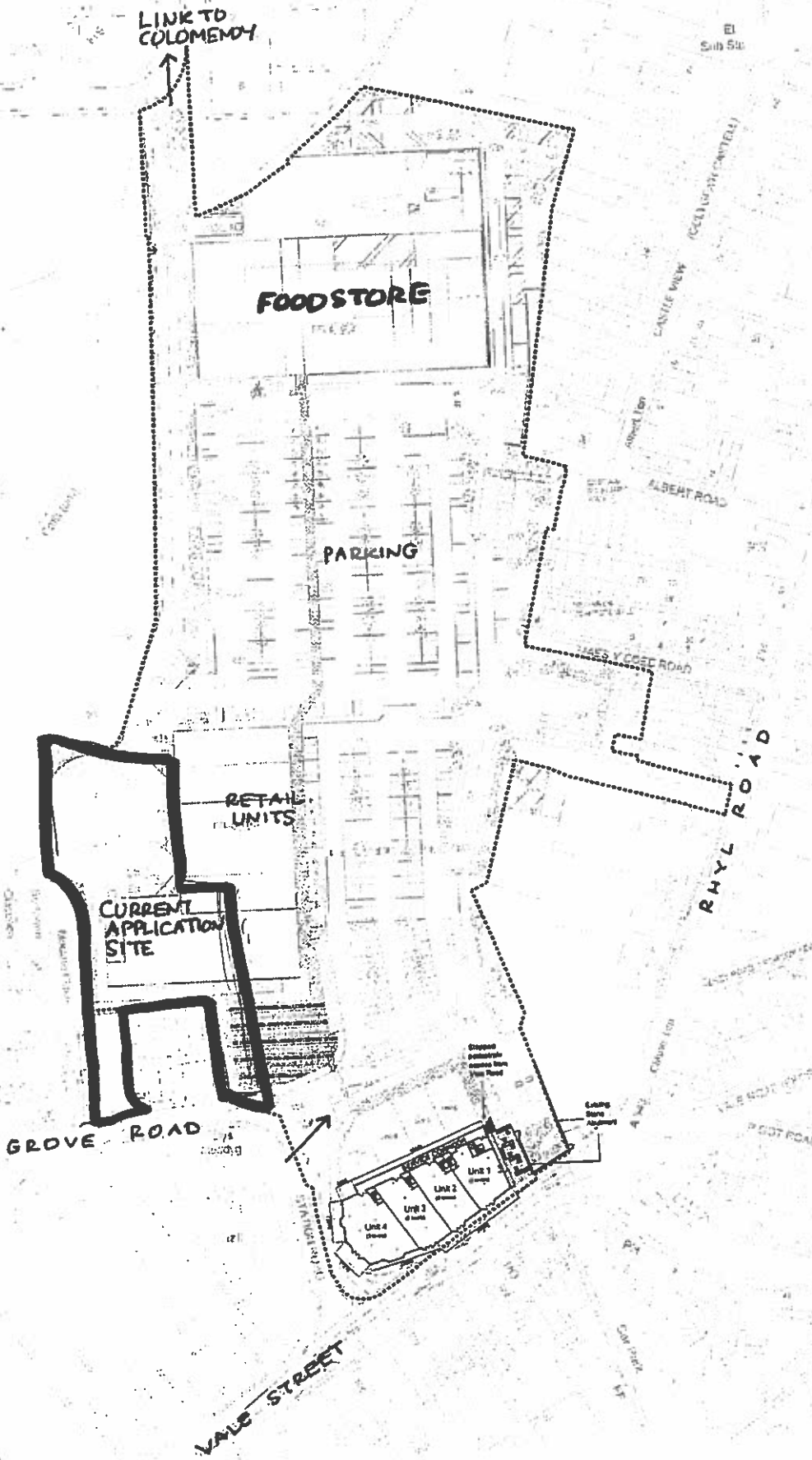
CYNGOR SIR DDINBYCH
DERBIGHSHIRE COUNTY COUNCIL
RECEIVED
- 1 AUG 2008
PLANNING SERVICES

LEACH RHODES HALPER
ARCHITECTS

DENBIGH

**PROPOSED SITE PLAN
LOWER LEVEL**

Drawn By: JF Date: 21.07.08
 Orig No: 6485 L10036 1:500 DAD Apr: 7
 LEACH RHODES HALPER ARCHITECTS
 10-12 THE SQUARE, DENBIGH, NORTH WALES LL20 1JG
 Tel: 01752 823031 Fax: 01752 823732
 Email: info@lrh.co.uk www.lrh.co.uk



ITEM NO: 1

WARD NO: Denbigh Central

WARD MEMBER(S): Councillor Gwyneth Kensler

APPLICATION NO: 01/2012/1607/ PO

PROPOSAL: Development of 0.6 ha of land for residential purposes (outline application including access)

LOCATION: Former Wool Depot Grove Road Denbigh

APPLICANT: MrC EvansLXB RP (Denbigh) Ltd

CONSTRAINTS: C2 Flood Zone

PUBLICITY UNDERTAKEN: Site Notice - YesPress Notice - YesNeighbour letters - Yes
(The application has been advertised as a Departure from the Local Development Plan)

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

- Recommendation to grant / approve – Departure from Development plan

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL
"No objection"

NATURAL RESOURCES WALES

No objection subject to the inclusion of conditions relating to floor levels, treatment of surface water, debris screen/culvert.

DWR CYMRU / WELSH WATER

No objection subject to the inclusion of conditions relating to separation of foul and surface water, and protection of the public sewer crossing the site.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Head of Highways and Infrastructure

- Highways Officer

No objection subject to the inclusion of conditions requiring approval of highway details and construction stage arrangements.

Conservation Architect

No objection

Ecologist

No objection

Housing and Community Development Service

No objection. There is demand for affordable housing units within the area and 10% should be provided in accordance with the LDP Policy.

Economic and Business Development Manager

No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:
Mr J. Lovegrove 45, Grove Rd, Denbigh
Mrs L. Lovegrove, 45, Grove Road, Denbigh

Summary of planning based representations in objection:

Support the general philosophy and intended housing design however have concerns that there may be a risk of flooding; that the development will affect parking on Grove Road.

In support

Representations received from:
S. Lloyd, 5, Bro Wen, Denbigh
O. Roberts, 4, Machno Place, Denbigh

Summary of planning based representations in support:

The site has vastly improved since the demolition of the Wool Depot, an appropriately designed housing development would provide huge benefits to the site and the surrounding area.

General Comments – neither object or support

Mrs. N. A. Davies, 18, Cheriton Avenue, Wirral
Mrs. E. W. Brine, St. Crispins, 14, Severn Quay, Severnside South

Comments regarding the accuracy of the plans.

EXPIRY DATE OF APPLICATION:12/2/2013

REASONS FOR DELAY IN DECISION

- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks outline planning permission for residential development of 0.6 hectares of land, with only means of access included for consideration. All other matters are reserved for future approval.
- 1.1.2 The site is located within the town's development boundary in the Local Development Plan and lies immediately to the north of existing dwellings on Grove Road.
- 1.1.3 The application documents include an illustrative layout plan showing ideas for a development of 17 dwellings, accessed from an existing access which is located in between 31 and 33 Grove Road.
- 1.1.4 The supporting document includes a Planning, Design and Access Statement, Sustainability Statement, Transport Report, Tree Quality Survey and Development Implications, Statement of Community Involvement, a Phase 2 Geo-environmental Site Investigation, Flood Consequences Assessment and a Hydrology & Modelling Report
The main points of relevance to the proposals in the supporting documents are:

In the Planning, Design, and Access Statement:

- The application site is part of the Station Yard retail allocation (Policy PSE 7) within the adopted Local Development Plan (LDP). Clearly the proposal results in some conflict with the adopted LDP, however residential use is considered

acceptable as redevelopment of this small section of the site will not prevent the wider site coming forward and could help stimulate development locally; in relation to 'piecemeal' development, the indicative layout has incorporated an access road that runs up to the east of the site boundary and could be extended in future to allow access to the wider allocated retail site. The site is located to the rear of existing residential properties, this part of the site does not enjoy a road-frontage and could cause amenity concerns for nearby residents. The site is disconnected from the main retail allocation and its loss would therefore have little impact on the ability of the wider site to meet the retail demands of the town.

- Conflict with Policy PSE7 must be balanced against other material considerations which includes social, community and economic benefits of housing and investment into and redevelopment of a brownfield site.
- 10% Affordable housing provision is offered in accordance with Policy BSC 4
- Provision of open space will be made in accordance with Policy BSC 11
- There are no other planning policy conflicts

The other documents confirm:

- a Code for Sustainable Homes Level 3 (plus 1 credit under ENE 1) could be achieved.
- The existing access with significant enhancements that address concerns about visibility and pedestrian provision is acceptable for the site and the traffic generated by the development would be less than what was generated by the Wool Depot.
- A detailed hydraulic modelling study and Flood Consequences Assessment conclude that the potential adverse consequences of a flooding event on the site will have a low impact and a low risk and that any exceptional or unexpected flood event can be managed to satisfactorily reduce its adverse effects.

1.2 Description of site and surroundings

1.2.1 The application site comprises 0.6ha of land in central Denbigh formerly the site of the Wool Depot. The site has been cleared of all previous development in connection with the Wool Depot. The site is relatively level.

1.2.2 To the south and west of the site is residential development, to the north are open fields protected as open space and to the east is Station Yard which is predominantly vacant. Access to the site is off Grove Road, between nos 31 and 33.

1.2.3 The site is bounded by high timber fencing.

1.3 Relevant planning constraints/considerations

1.3.1 The application site is located within the development boundary of Denbigh and allocated as a retail site within the Local Development Plan (as there was a valid planning consent for a foodstore and general retail development at the time of preparing the plan).

1.3.2 The site is located within a C2 Flood Zone as defined in the Development Advice Maps that accompany TAN 15: Development and Flood Risk.

1.3.3 The site is adjacent to the Denbigh Conservation Area.

1.4 Relevant planning history

1.4.1 The application site forms part of the larger Station Yard site, granted planning permission in 2009 for redevelopment by way of a mixed use scheme comprising 11,212 sq.m (gross internal area) of Class A1 retail floorspace, 504 sq.m (gross internal area) of Class A3 retail floorspace, public open space, internal roads and footways, associated car parking spaces, associated ancillary facilities and comprehensive hard and soft landscaping.

It is understood the Wool Depot buildings were demolished in 2012.

1.5 Developments/changes since the original submission

- 1.5.1 An updated Flood Consequences Assessment has been submitted along with a Hydrology and Modelling Report. A revised 'indicative' layout plan has been submitted along with an updated Design and Access Statement to reflect the adoption of the LDP in June 2013.

1.6 Other relevant background information

- 1.6.1 The Development Advice Maps within TAN 15 show the site to be predominantly within a C2 floodzone. The maps have not been updated to reflect the the Denbigh Flood Risk Management Scheme.

2. DETAILS OF PLANNING HISTORY:

- 2.1 01/2007/1444/PF Redevelopment of site by way of mixed use development comprising 11,212 sq.m (gross internal area) of Class A1 retail floorspace, 504 sq.m (gross internal area) of Class A3 retail floorspace, public open space, internal roads and footways, associated car parking spaces, associated ancillary facilities and comprehensive hard and soft landscaping
GRANTED 24th June, 2009.

01/2012/0272/DA Prior notification for the proposed demolition of 4 no. warehouse buildings
GRANTED 26th March, 2012

3. RELEVANT POLICIES AND GUIDANCE:

- 3.1 The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy BSC1 – Growth Strategy for Denbighshire
Policy BSC4 – Affordable Housing
Policy BSC11 – Recreation and open space
Policy PSE6 – Retail economy
Policy PSE7 – Proposals for new retail development
Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

- Supplementary Planning Guidance Note 4: Recreational Public Open Space
Supplementary Planning Guidance Note 22 Affordable Housing in New Developments
Supplementary Planning Guidance Note 25: Residential Development Design Guide

Government Policy / Guidance

- Planning Policy Wales Edition 5 November 2012
TAN 12: Design (2009)
TAN 15: Development & Flood Risk (2004)
TAN 22: Planning for Sustainable Buildings (2010)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW 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., and that these 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 (Sections 3.1.3 and 3.1.4).

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

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

- 4.1.1 Principle
- 4.1.2 Loss of land for retail development
- 4.1.3 Visual amenity
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Flooding
- 4.1.7 Highways (including access and parking)
- 4.1.8 Affordable Housing
- 4.1.9 Open Space
- 4.1.10 Sustainability including codes and water management
- 4.1.11 Contaminated land

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application involves residential development on an allocated retail area within the development boundary of Denbigh as identified in the adopted Local Development Plan. It obliges consideration of a range of planning policies and guidance which apply to the principles of development on land allocated for retail use and the provision of housing, as well as the policies relating to the assessment of localised impact of such development. The weighing up of the merits of the proposals involves due consideration of the socio-economic arguments in the context of the scheme being redevelopment of previously developed land within the development boundary of a town.

The main policies in the Local Development Plan which are relevant to the principle of the development are:

Policy BSC 1, which sets out the basic housing growth strategy for the County.

Policy PSE 7 which allocates land for new retail development and includes Station Yard because of an extant planning permission for food and non-food retail.

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

Taking all the 'in principle' policies into account, it would be Officers' view that the proposal to redevelop the site for residential purposes does pose a potential conflict with policy as it involves the loss of part of an identified retail site, which needs to be weighed in the consideration of the merits of the application. The main issues are discussed in the following sections of the report.

4.2.2 Loss of land for retail development

Policy PSE 7 of the Local Development Plan allocates land for retail development and specifically Station Yard in Denbigh because of an extant planning permission for food and non-food retail. The planning permission was granted in June 2009 (expires June 2014) for the redevelopment of the site, which includes the application site, for a mixed use development comprising 11,212 sq.m (gross internal area) of Class A1 retail floorspace, 504 sq.m (gross internal area) of Class A3 retail floorspace, public open space, internal roads and footways, associated car parking spaces, associated ancillary facilities and comprehensive hard and soft landscaping.

The Economic and Business Development Manager has not expressed concerns over the loss of this small part of the larger retail site. The application site is on the edge of the overall site adjacent to existing residential properties and to allow residential development of this site would not prevent the wider site coming forward

(albeit that this could not then be developed in accordance with the 2009 permission). Potentially, developing this site may stimulate further development in the area.

Policy PSE 7 designates the site for retail purposes. The introduction of residential use is therefore in conflict with the policy. The retail allocation in the LDP was made on the basis of the planning permission for the redevelopment of the Station Yard site. This current proposal would result in the loss of 0.6ha of an overall retail site area of over 4.85ha. The application site is on the edge of the overall site, with the land taking up part of an area approved for a block of retail units with a rear delivery and service yard, please see plan at the front of this report showing the approved scheme for retail development.

Whilst the main permission for the foodstore and retail development remains in place until June 2014, it is understood that the scheme is unlikely to be implemented as a significant part of the site subject to the 2009 permission is in separate ownership.

The current applicant, LXB Properties, have been party to the discussions relating to the development of the wider redevelopment scheme for the site since 2009, however for a number of reasons the site has not come forward and therefore they have developed a standalone application for the Wool Depot site.

In terms of the retail allocation, it is not considered that the redevelopment of this small section of the site, which is on the edge of the larger site with a separate access would prevent a revised retail development coming forward on the larger site. The indicative layout has incorporated an access road to the east of the site that could be utilized in future however this would need further consideration in the context of consideration of a new scheme for the site.

In terms of the general character of the area, the former Wool Depot site is located in very close proximity to residential properties and it is considered that residential use is far more in keeping with the character of the area.

Officers' conclusion on the loss of 0.6 hectares of allocated retail land is that the proposal would not prevent a development of the Station yard site.

4.2.3 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 no objections to the proposal based on potential visual impacts of the development.

No details of layout, house types etc have been submitted for consideration given this application seeks only outline planning permission, with access being the sole detail on which approval is being sought. Officers conclude therefore that it is not possible to assess detailed visual impacts given the application seeks outline permission with all matters, other than means of access, reserved for later approval.

4.2.4 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.

There are no local concerns expressed over potential for loss of privacy from new development on the site.

Whilst the application contains an illustrative layout indicating a possible format for a development of 17 dwellings, there are no elevation details or floor plans to allow assessment of the impact on adjacent properties. A detailed application would require careful consideration to address impacts on adjacent properties and the visual amenities of the area. Officers conclude therefore that it is not possible to assess detailed amenity impacts at this stage given the application seeks only outline planning permission with all matters, other than means of access, reserved for later approval

4.2.5 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.

There are no objections expressed over the potential impact on habitat as a result of development.

The only consideration regarding wildlife is for any works to trees or removal of vegetation which should be undertaken outside of the bird breeding season. If any trees support bats, an assessment should be undertaken before any works are undertaken.

4.2.6 Flooding

Planning Policy Wales Section 13.2 identifies flood risk as a material planning 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. The development advice maps of the site show most of the site to be located within a C2 flood zone, which is an area of the floodplain without significant flood defence. It should be noted that the development advice maps have not been updated to consider the benefit afforded by the Denbigh Flood Risk Management Scheme Works undertaken recently for Denbighshire County Council.

The TAN advises that the C2 classification should be used to indicate that only less vulnerable development should be considered subject to application of justification tests, including acceptability of the consequences and highly vulnerable development such as residential development should not be considered in this zone. However there are exceptions which allow development in a flood zone, if it can be demonstrated that the location is necessary to assist, or be part of, a local authority regeneration initiative or strategy to sustain an existing settlement; or the location is necessary to contribute to key employment objectives supported by the Local Planning Authority to sustain an existing settlement. In order for a development to be considered as an exception, the site must also meet the definition of previously developed land, as per the Planning Policy Wales definition. The most relevant elements of this definition are that previously developed land includes land which is or

was occupied by a permanent structure and associated fixed surface infrastructure (excluding agricultural or forestry buildings) and land where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings. Finally a Flood Consequence Assessment (FCA) is required to be submitted to support the application for the exception, to explore the potential consequences of a flooding event for the particular type of development proposed.

The proposed development has been the subject of prolonged discussions with NRW and a Flood Consequence Assessment along with a Hydrology and Modelling Report has been submitted in support of the proposal.

NRW have ultimately raised no objections to residential development of the site subject to the inclusion of conditions relating to finished floor levels, the construction details of a replacement debris screen at the culvert inlet and also requiring the submission of a surface water drainage regulation system.

It is Officers opinion in relation to the exception tests that the development is 'justified', the site is previously developed land located within the development boundary of Denbigh and would assist the local authority's strategy to sustain an existing settlement by providing new housing. The Flood Consequences and Hydrology and Modelling Report submitted in support of the application demonstrate that the risks of flooding can be acceptably managed and NRW have not raised an objection to the proposal subject to conditions. It is therefore considered that the proposal represents an acceptable form of development which meets the relevant tests in TAN 15.

4.2.7 Highways (including access and parking)

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

Residents have made comments regarding the loss of parking for the residents of 33 to 45 Grove Road, who utilise an area of land at the bottom of Grove Road in the ownership of the applicant, in an area where the Wool Depot building was previously located. The proposal is to utilise the existing vehicular access off Grove Road which is located in between 2 residential properties. The access is shown to be improved with visibility splays achieved in both directions. The highway officer raises no objections subject to inclusion of conditions including further details of the access and highway improvements, street lighting, drainage, signage, internal estate road along with details of the site compound location, traffic management scheme, vehicle washing facilities and details of the operation and management of construction vehicles.

The indicative layout does include parking bays to the west of the access road as parking for residents, however the loss of the area currently used by residents, which is privately owned land does not raise any highway concerns locally. Having due regard to the historic use of the site, the nature of the local road network and the response of the Highway Officer it is not considered there are any significant highway concerns likely to arise from the proposal.

4.2.8 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing either on site on developments of 10 or more residential units or by way of a financial contribution on development of less than 10 residential units is

Officers' view is that it would be reasonable to deal with contaminated land matters through the imposition of planning conditions.

5. SUMMARY AND CONCLUSIONS:

5.1 In Officers' opinion there are no fundamental concerns over residential use of the site. The proposed use is considered to be in keeping with the character of the area.

5.2 It is not considered that the proposal, to develop a small part of the approved retail development, would prejudice that site's ability to bring forward retail development.

5.3 In accordance with Welsh Government Circular 07/12, the Local Planning Authority are required to notify Welsh Government of an intention to Grant Planning Permission for highly vulnerable development of more than 10 dwellings due to the sites location within a C2 floodzone. The Local Planning Authority must not grant planning permission until the expiry of the period of 21 days beginning with the date which the Welsh Ministers tell the Authority in writing is the date upon which they received the notification: hence the recommendation is subject to referral to Welsh Government and confirmation that permission may be granted.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years 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.
5. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailed mechanism for the provision of affordable housing as part of the development, in accordance with the Council's Policies and Supplementary Planning Guidance, has been submitted to and approved in writing by the Local Planning Authority.
6. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailed arrangements for the provision for amenity and open space within the site in accordance with the Council's policies and guidance.
7. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010.
8. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.
9. Prior to the occupation of each of the dwellings hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes.
10. Works to trees/vegetation should be undertaken outside the bird breeding season and of any trees are found to support bats, an assessment should undertaken before works proceed.
11. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailed layout, design, means of traffic calming, street

lighting, signing, drainage and construction of the internal estate road, access improvements and the associated highway. The development shall be constructed in accordance with such approved details.

12. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to the site compound location, traffic management scheme, vehicle wheel washing facilities, hours and days of operation and the management and operation of construction vehicles. The development shall be constructed in accordance with such approved details.

13. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be agreed with the Local Planning Authority, and shall be completed prior to the proposed development being brought into use.

14. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme to ensure that Finished Floor Levels are set no lower than the corresponding modelled 1 in 100 year (including an allowance for climate change and a 100% blockage of the culvert) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall also provide details of the proposed ground levels and details of the flood exceedance routes that will be required through the site and beyond, directly to the east of, and south east, of the application area. The development shall be constructed in accordance with such approved details.

15. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme for the construction of a replacement debris screen at the culvert inlet (built in accordance with best practice guidance) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include warning signage to inform residents of the importance of maintaining access to the culvert inlet so that clearance of the screen can be undertaken if and when required. The development shall be constructed in accordance with such approved details.

16. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme for the implementation of a surface water drainage regulation system has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall also include details of the land drainage system that is proposed to intercept surface water from the northern escarpment. The development shall be constructed in accordance with such approved details.

17. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme for the adoption and/or management of the culvert inlet trash screen and the culverted watercourse passing beneath the site. The development shall be constructed in accordance with such approved details.

18. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a remediation strategy that includes the components listed below to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- a. all previous uses.
- b. potential contaminants associated with those uses
- c. a conceptual model of the site indicating sources, pathways and receptors.
- d. potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

19. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a verification report demonstrating completion of works set

out in the approved remediation strategy and the effectiveness of the remediation. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

20. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The application is for outline permission with details of means of access only.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. To ensure a satisfactory standard of development, in the interests of visual amenity.
5. In the interest of compliance with adopted affordable housing policies.
6. In the interest of compliance with adopted open space policies.
7. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
8. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
9. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
10. In the interests of nature conservation.
11. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
12. In the interest of the free and safe movement of traffic on the adjacent highway and in the interests of highway safety.
13. To provide for the loading, unloading and parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
14. To reduce the risk of flooding to the development and future occupants.
15. To reduce the risk of flooding to the development and future occupants.
16. To prevent flooding by ensuring the satisfactory storage of, and disposal of, surface water.
17. To ensure the long term management of the watercourse and associated infrastructure.
18. The controlled waters at this site are of high environmental sensitivity due to the sites being on a principal aquifer and contamination is known at the site from the previous land uses.
19. To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
20. To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
21. Unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

NOTES TO APPLICANT:

Please find attached response and Advisory Notes from Dwr Cymru Welsh Water.

Your attention is drawn to the following:

- (i) Highway Supplementary Notes Nos. 1,3,4,5,6,7,8,9 & 10.
- (ii) New Roads and Street Works Act 1991-Part N Form.
- (iii) Denbighshire County Council Specification for Road Construction.
- (iv) Denbighshire County Council General Notes for Highway Lighting Installations.
- (v) Denbighshire County Councils General Requirement for Traffic Signs and Road Markings.