

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

45/2014/0045

Land at Rhyl High School  
Grange Road, Rhyl

7

 Application Site

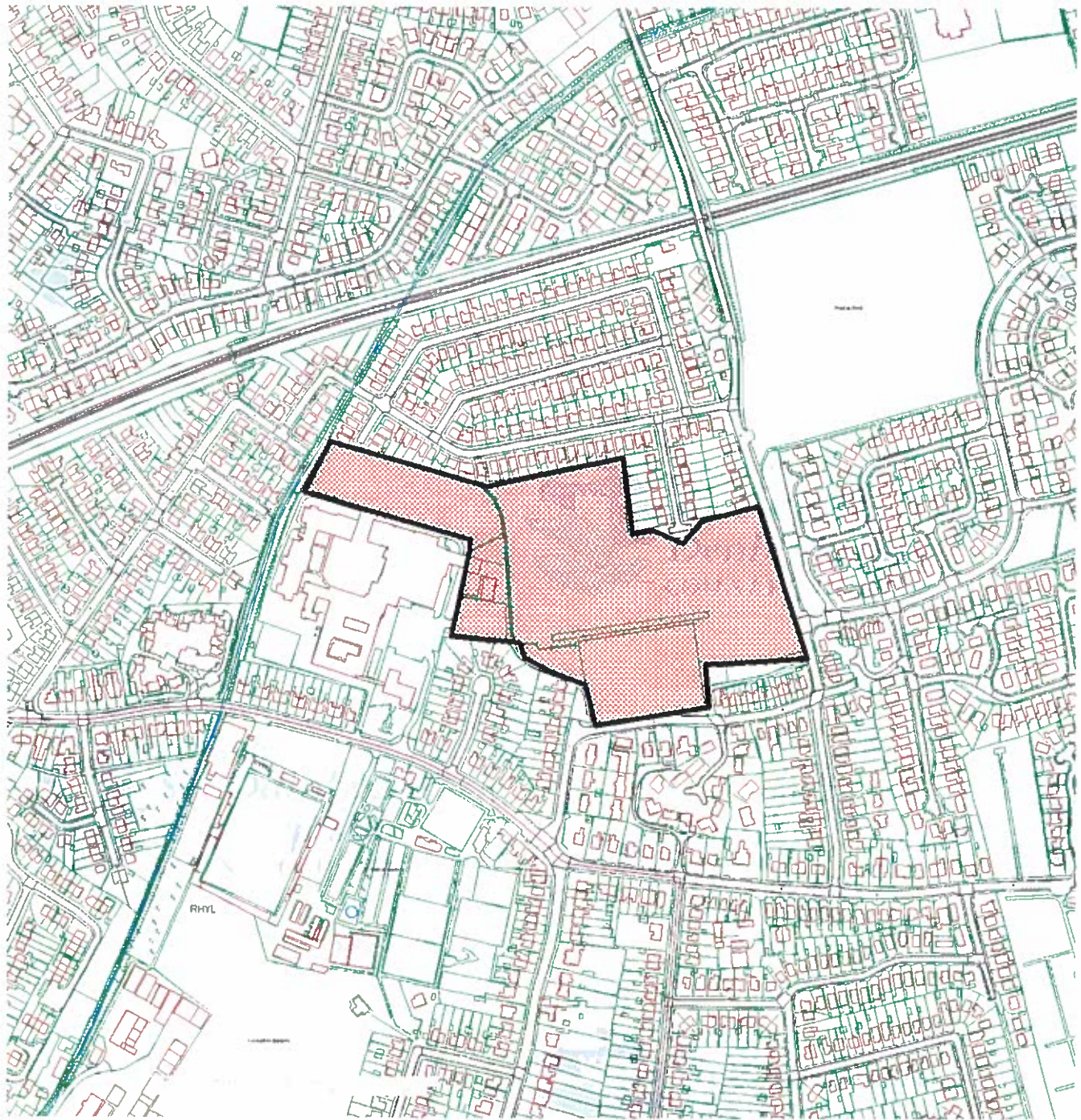


Date 3/4/2014

Scale 1/5000

Centre = 302016 E 381482 N

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.



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
© Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council. 100023408. 2011

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

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

45/2014/0045

Land at Rhyl High School  
Grange Road, Rhyl



Application Site

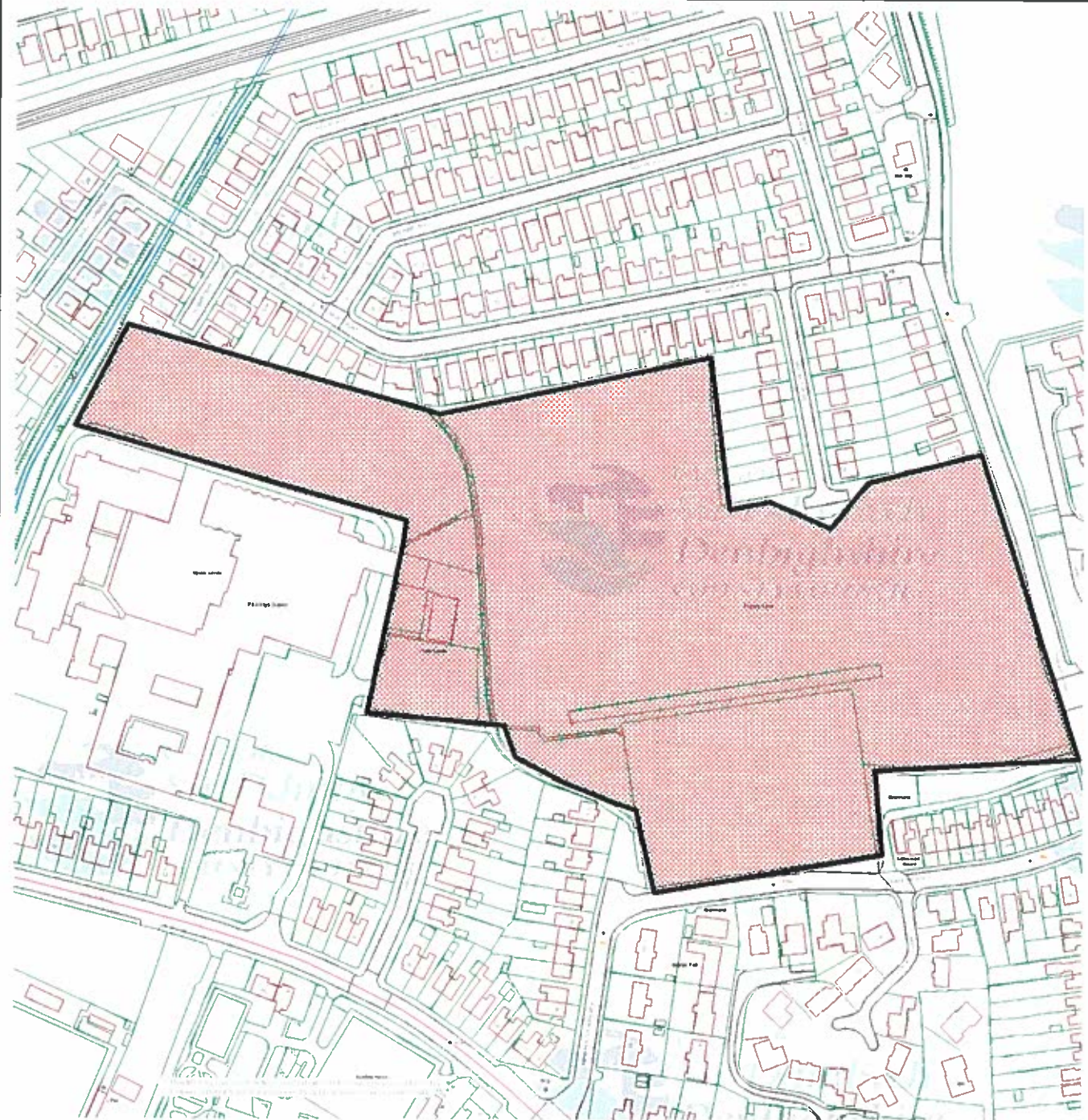


Date 3/4/2014

Scale 1/2500

Centre = 302016 E 381482 N

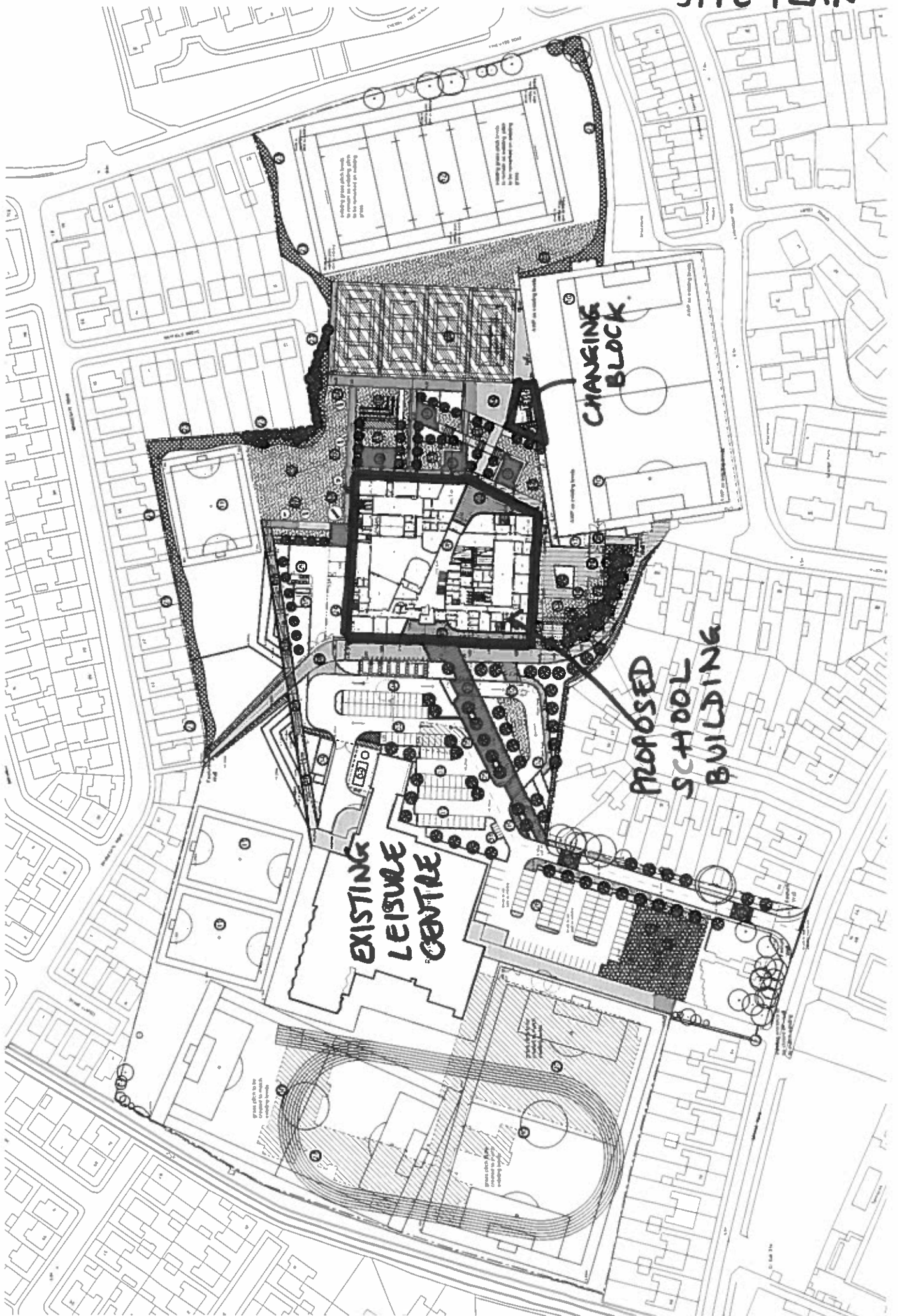
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
© Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council 100023408 2011.

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

# SITE PLAN



# MAIN BUILDING ELEVATIONS (1)

**Aedas**

Project: [illegible]  
Client: [illegible]  
Date: [illegible]

Architect: [illegible]  
Project Manager: [illegible]  
Site: [illegible]

Scale: 1:100  
Date: [illegible]

Project No: [illegible]  
Drawing No: [illegible]

Project Name: [illegible]  
Project Address: [illegible]  
Project Location: [illegible]

Project Description: [illegible]

Project Status: [illegible]

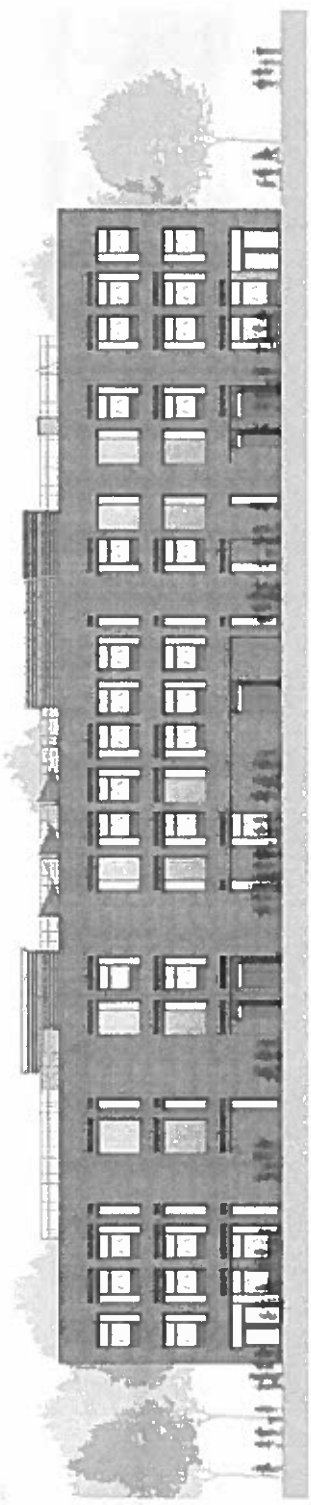
Project Contact: [illegible]

Project Phone: [illegible]

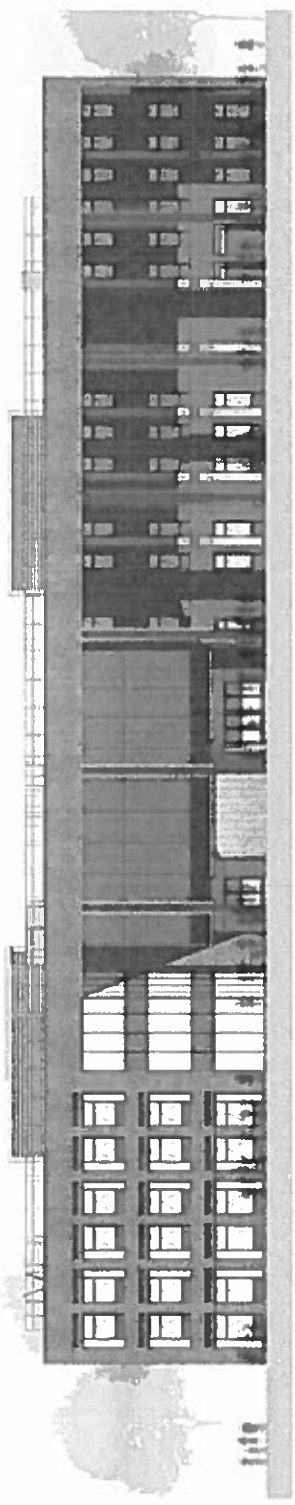
Project Email: [illegible]

Project Website: [illegible]

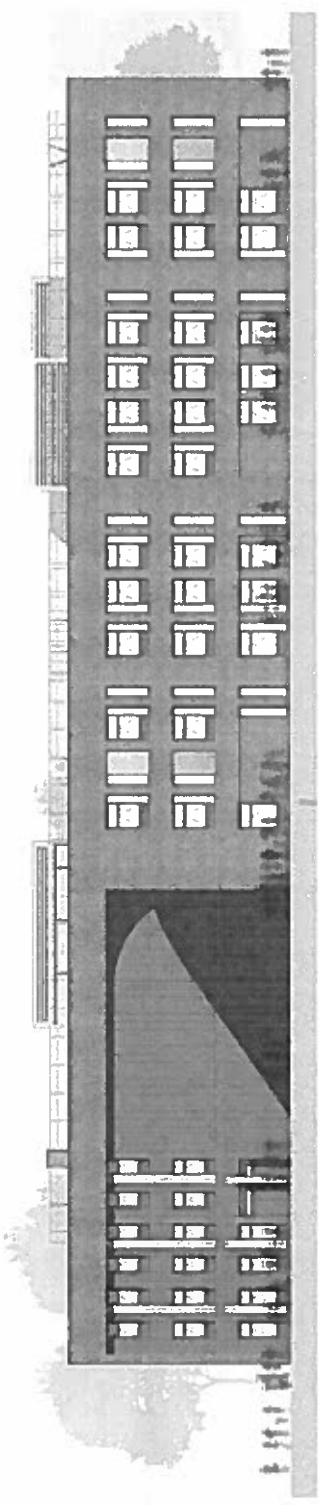
Project Social Media: [illegible]



2 Planning - North Elevation



1 Planning - West Elevation



3 Planning - East Elevation

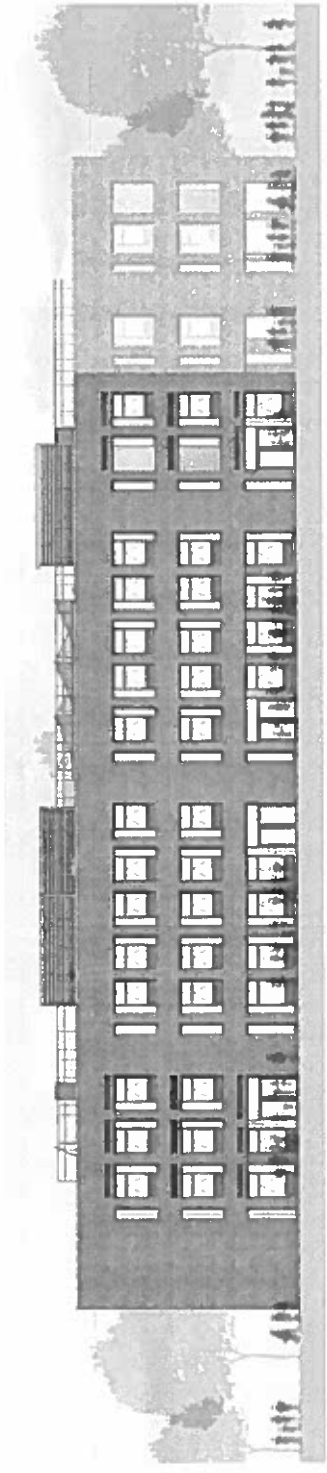
# MAIN BUILDING ELEVATIONS (2)

**Aedias**

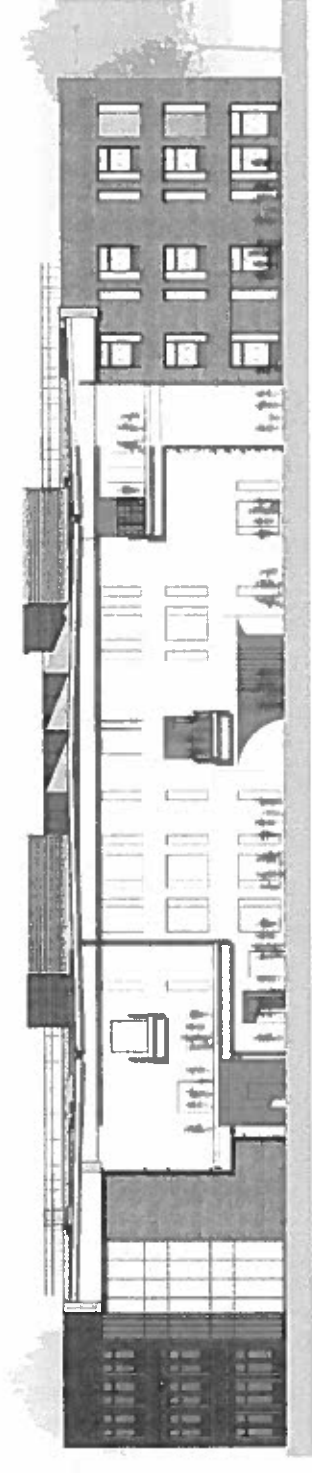
Project: [illegible]  
Date: 03/11/14

Architect: [illegible]  
1111111111  
1111111111  
1111111111

1111111111  
1111111111  
1111111111



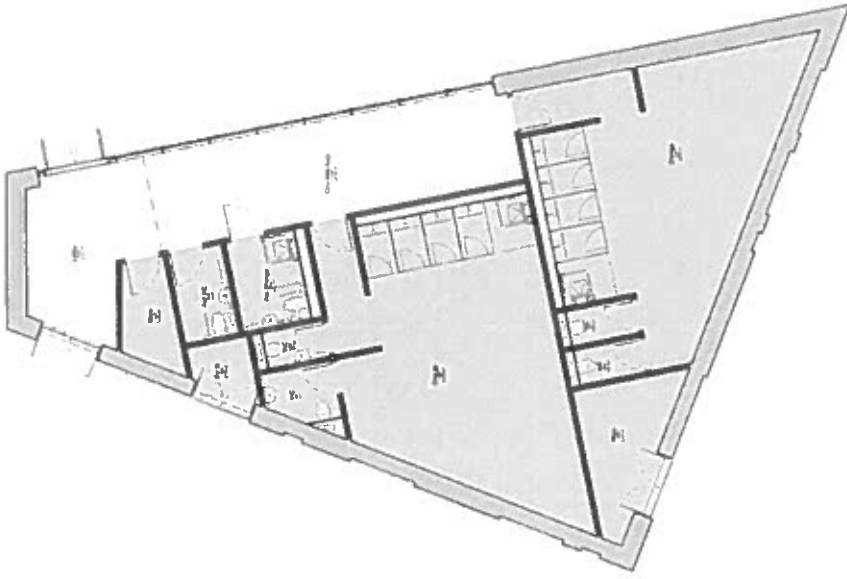
1 Planning - South Elevation  
1/1/2014



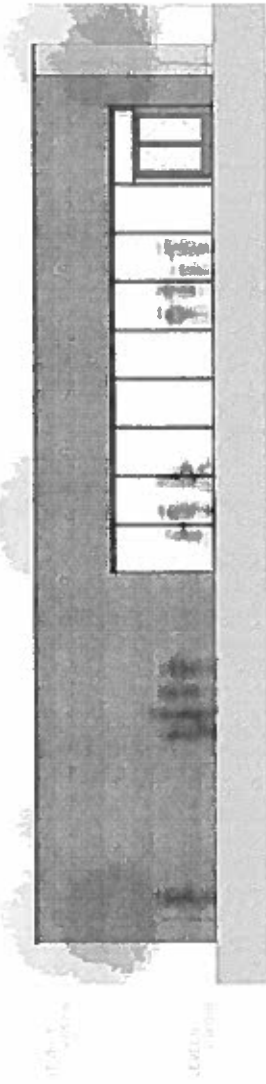
2 Planning - Southwest Elevation/Section  
1/1/2014

# CHANGING BLOCK

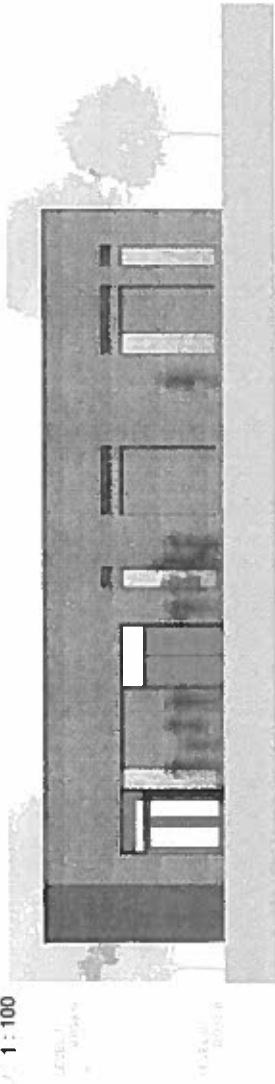
Project Name	Address	City	State	Zip
Client	Architect	Scale	Date	Sheet No.
<b>Aedas</b>				
<p>10000 1st Ave. Suite 100          San Diego, CA 92121          Tel: 619 594 1000          Fax: 619 594 1001          www.aedas.com</p>				
Project Name	Client	Scale	Date	Sheet No.
Project No.	Project Name	Project No.	Project Name	Project No.
Project No.	Project Name	Project No.	Project Name	Project No.
Project No.	Project Name	Project No.	Project Name	Project No.
Project No.	Project Name	Project No.	Project Name	Project No.



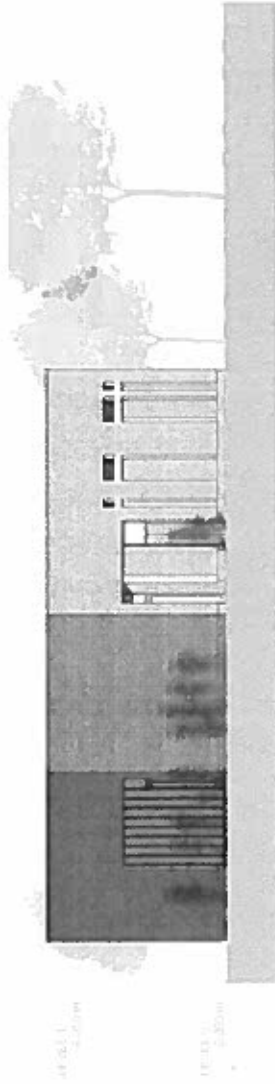
**1** Planning - Ground Floor Changing Block  
1 : 100



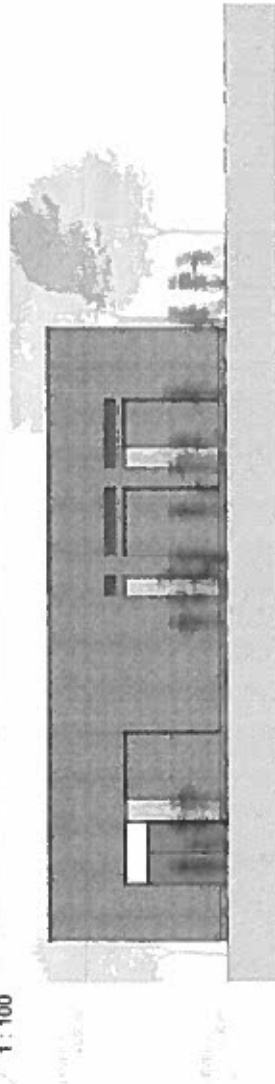
**3** Planning - South Changing Block Elevation  
1 : 100



**2** Planning - North Changing Block Elevation  
1 : 100



**4** Planning - East Changing Block Elevation  
1 : 100



**5** Planning - West Changing Block Elevation  
1 : 100

**ITEM NO:** 7

**WARD NO:** Rhyl South East

**WARD MEMBER(S):** Councillors Brian Blakely, Win Mullen-James and Bill Tasker

**APPLICATION NO:** 45/2014/0045/ PF

**PROPOSAL:** Erection of 3-storey secondary school for 1,245 pupils and detached small changing block, associated external play space, grass pitches, all-weather pitch and multi-use games area, associated car parking and service areas. Alterations to existing vehicular access to the highway to include pupil drop-off areas.

**LOCATION:** Rhyl High School And Leisure Centre 86 Grange Road Rhyl

**APPLICANT:** Denbighshire County Council Customers & Education Support

**CONSTRAINTS:** PROW  
C1 Flood Zone  
Article 4 Direction

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

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

- **Application by County Council on Council land**

**CONSULTATION RESPONSES:**

RHYL TOWN COUNCIL  
"No objection".

DWR CYMRU WELSH WATER  
No objection

NATURAL RESOURCES WALES  
No objection subject to the inclusion of a condition requiring details for the implementation of a surface water regulation system.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES**

Highways Officer

No objection subject to the inclusion of conditions requiring details of the closing up and alterations to the existing vehicular accesses including all detailed design, construction and operation details.

Footpath Officer

No objection.

Biodiversity Officer

No objection.

Pollution Control Officer

No objection subject to conditions relating to lighting detail, opening hours of out of school open recreation/sports facilities including a noise assessment with necessary mitigation measures.

## RESPONSE TO PUBLICITY:

### In objection

Representations received from:  
Mr & Mrs Walley, 23 Bridgegate Road, Rhyl

Summary of planning based representations:

### Residential amenity/visual amenity

Concerns relating to the erection of a 3 storey building in an area surrounded by bungalows/ privacy will be lost to the rear of the property by being overlooked/none or very little sunlight will be had during the winter months.

**EXPIRY DATE OF APPLICATION: 31/3/2014**

## REASONS FOR DELAY IN DECISION:

- timing of receipt of representations
- Awaiting referral to Committee

## PLANNING ASSESSMENT:

### 1. THE PROPOSAL:

#### 1.1 Summary of proposals

1.1.1 The application seeks full planning permission for the erection of a new 3 storey Secondary School building, a detached changing block with associated external play space, grass pitches, all weather pitch and multi- use games area (MUGA), associated car parking and service areas. The proposal also includes alterations to the existing vehicular access off Grange Road to include a pupil drop off area.

The plans at the front of the report illustrate the basic details of the scheme.

1.1.2 Rhyl High School currently shares its site with Rhyl Leisure Centre. The intention would be to demolish the existing school buildings upon completion of the new school building but retain the Leisure Centre in its current form. The proposed school would be sited adjacent to the current site, approx. 55m to the east from the main side elevation of the Leisure Centre.

1.1.3 As part of the planning application, the following information has been submitted to explain the proposals for a new Secondary School in detail:

Design & Access Statement  
BREEAM Pre-assessment Report  
Water Conservation Statement  
Flood Consequences Assessment  
Geotechnical and Contaminated Land Desk Study  
Arboricultural Impact Assessment  
Framework Travel Plan  
Summary of Stakeholder Consultation

1.1.4 The proposed school will replace the existing school buildings which comprises a mix of older buildings which have come to the end of their serviceable life. The proposed school building comprises a 3 storey building, measuring approx. 50m by 45m with a maximum height of 13m. It is proposed to use a mix of materials including brick and cladding with feature metal cladding. It is also proposed to erect a single storey detached changing block, roughly triangular in shape adjacent to the existing multi use games area and proposed games court area to provide changing facilities, toilets and a viewing area.

1.1.5 The proposal is to improve the existing access on Grange Road by widening and straightening it to enhance pedestrian safety. It is proposed to create a crossing point



just within the site, to slow vehicles and also provide a safe crossing point. It is also proposed to close up the existing service access, also on Grange Road. The proposal is to provide 2 separate drop off facilities within the site, one for casual parent drop off adjacent to the main pedestrian path and the other a managed drop off for the Ysgol Tir Morfa pupils.

- 1.1.6 In relation to car parking, it is proposed to provide 149 car parking spaces within the site for use by the proposed school and leisure centre. In addition, 5 spaces will be provided for motorcycle parking and 40 cycle spaces accommodated in areas of covered shelters. It is also proposed to enhance the existing foot/cycle path running through the site
- 1.1.7 Within the site it is proposed to provide a number of grass pitches with athletics track, football and five a side pitches, rugby pitch, netball and tennis courts in addition to the existing all weather pitch.
- 1.1.8 The new school will include extensive multipurpose spaces, such as the performance area, dining and community hall. These multi spaces will benefit the new school but will also provide a valuable community resource including adult learning opportunities. There is then a series of dedicated teaching accommodation which will be adaptable to a range of learning styles, music and drama studios and extensive external learning spaces.
- 1.1.9 Outdoor facilities will include hard and soft landscaped social areas for pupils, habitat areas for outdoor learning, a multiuse games area, all weather pitch, grassed pitches for summer and winter games and a great consideration of alternative sports provision including a trim trail and potentially more specialised activities such as climbing and roller hockey.

## 1.2 Description of site and surroundings

- 1.2.1 The application site comprises a total site area of 6.87ha, all of which is within the ownership of Denbighshire County Council. The site is divided by a foot/cycle path known locally as 'The Cinder Path' with the existing School, Leisure Centre, parking, playground and service areas to the west of the foot/cycle path and the all-weather pitch, sprint track and a variety of grass pitches located to the east of the foot/cycle path.
- 1.2.2 The existing all-weather pitch is heavily used by the community but the grass pitches are not extensively used outside of school hours for community use. The running track is not used by the community and has fallen into disrepair.
- 1.2.3 The site has one main vehicular and pedestrian access off the B5119/Grange Road with a service entrance also off Grange Road.
- 1.2.4 The site is surrounded predominantly by residential properties, both 2 storey and single storey. To the eastern boundary is Tynewydd Road and separating the site from residential properties to the west is the Rhyl Cut. The southern and northern boundary is predominantly bound by residential properties with the all-weather pitch adjacent to Larkmount Road.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhyl. A public footpath crosses the site. A small part of the site, to the south westerly corner where an existing block associated with the school is sited is in a C1 flood zone as defined within the development advice maps contained within TAN 15.
- 1.3.2 The majority of the site, with the exception of the school and leisure centre buildings is protected as recreation and open space in the Local Development Plan.

#### 1.4 Relevant planning history

1.4.1 None specifically relevant to this application.

#### 1.5 Developments/changes since the original submission

1.5.1 None

#### 1.6 Other relevant background information

1.6.1 The proposed school is a Local Authority run school and it is proposed for 1245 students including 45 pupils from Ysgol Tir Morfa (Ffordd Derwen) which is a community special school which caters for a wide range of additional learning needs. Ysgol Tir Morfa will be retained in its current location however to promote an inclusive educational programme up to 45 secondary school pupils will be taught within Rhyl High School and would be provided with their own ground floor homebase however individual pupils may take lessons with the mainstream school

### 2. **DETAILS OF PLANNING HISTORY:**

None

### 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy RD 1 Sustainable Development and Good Standard Design

Policy BSC 11 Recreation and Open Space

Policy BSC 12 Community Facilities

Policy ASA 3 Parking Standards

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance 2: Landscaping in New Developments

Supplementary Planning Guidance 4: Recreational Open Space

Supplementary Planning Guidance 6: Trees and Development

Supplementary Planning Guidance 21: Parking Standards

3.3 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014

Technical Advice Notes

TAN 12 Design

TAN 15 Development and Flood Risk

TAN 22 Planning for Sustainable Buildings

### 4. **MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6, February 2014 (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 of the development

- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Biodiversity
- 4.1.5 Drainage & Flood Risk
- 4.1.6 Highways/parking/access
- 4.1.7 Inclusive Design
- 4.1.8 Sustainability including codes and water management

#### 4.2 In relation to the main planning considerations:

##### 4.2.1 Principle

The main Local Development Plan Policies relevant to the principle of the development are Policies BSC 11 and BSC 12. Policy BSC 11 relates to recreation and open space and protects existing recreation, public open space, allotments and amenity greenspace and states that it should be retained and where possible it should be enhanced. Policy BSC 12 relates to Community Facilities and supports the provision of community facilities within development boundaries and encourages the retention and improvement of community facilities which provide an essential facility to support the sustainability of Denbighshire's communities.

The proposal relates to an existing school site and leisure centre with associated open space and recreation facilities. The proposal is to erect a new school, removing the old school buildings and providing additional playing fields created on the footprint of the current school.

The resulting external spaces will have greater amenity value and greater community benefit, and whilst a part of the existing playing field will be lost to the siting of the school, additional playing fields will be provided on the site of the current school buildings, providing more space than would be lost, as the proposed school has a smaller footprint. It therefore not considered that the proposal conflicts with Policy BSC 11 as the proposal would enhance open space and recreation facilities at the site.

Community use of the building and the wider site has been a key consideration within the design of the proposal. The proposed school building can be zoned off for community use as well as providing public access to the vocational area of the school during school hours. It is also intended that the open space/sports facilities would be used by Rhyl Leisure Centre, allowing extensive community use. It is considered that the proposal complies with Policy BSC 12 as it clearly relates to the retention and improvement of community facilities.

##### 4.2.2 Visual Amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (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 is an objection from a local resident on Bridgegate Road in relation to the proposal being 3 storey in an area predominantly surrounded by bungalows.

Whilst the dwellings on Bridgegate Road and some on Larkmount Road are single storey, the site is also bound by 2 storey dwellings on Grange Road, Park Drive and also to the western boundary over the Rhyl Cut are 2 storey dwellings on Grange

Avenue, Beech Avenue and Clifton Park Avenue. In close proximity to the site is the Leisure Centre building, with Rhyl Football Club nearby on Grange Road. The site is located within an area with a mixed design and scale of buildings using different materials, and it is considered in this context that the scale and design of the development would be respectful of its location. An indication of the use of materials has been given, but a suitably worded condition would ensure the external finishes are acceptable. It is not considered that there would be any adverse impact on the visual amenities of the area.

#### 4.2.3 Residential Amenity

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

There is an objection from a local resident on Bridgegate Road on grounds that privacy will be lost to the rear of the property by being overlooked and that none or very little sunlight will be had during the winter months.

Residential properties are located immediately to the northern and southern boundaries of the site, and also to the west but separated by Rhyl Cut. The siting of the new school building is 44m away at the closest point and 55m away at the furthest point from the properties on Bridgegate Road. There are also properties to the south of the site on Park Drive, Larkmount Road and Pendyffryn Road (North) which range from a nearest distance of 23m from the proposed school site to the rear boundary of Park Drive, to 29m at the furthest distance away from the side boundary of 102 Pendyffryn Road (North). It is proposed to enhance the sports facilities within the site giving the flexibility of using the new grass pitches at weekends and school holidays, but less so in the evening due to the lack of floodlights. It is not expected that the games area or five a side pitches will be heavily used by the community, therefore the prominent noise to these pitches will be school noise as happens now. The main grass pitch used by the community would be the large pitch to the front of the leisure centre.

Whilst respecting the comments of the local resident, at its closest point the school would be sited 44m away from the properties on Bridgegate Road, which is a considerable distance away so as not to overlook and cause a loss of privacy or loss of amenity. In relation to noise, the main intention is to use the sports pitches adjacent to the dwellings at weekends and school holidays, but it is understood that further discussions in relation to the extent of community use is required. A condition requiring a noise assessment be undertaken is therefore considered necessary to ensure the issue is satisfactorily addressed. Having regard to the layout of the site relative to nearby development, Officers opinion is that there would be no adverse impacts on the amenities of occupiers of nearby dwellings subject to the submission of appropriate details required by planning conditions in the event that planning permission is granted.

#### 4.2.4 Biodiversity

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 wildlife as a result of development. The Council's Biodiversity Officer has raised no objection subject to the imposition of conditions to ensure demolition and tree removal is undertaken at the appropriate time to avoid negative impact on nesting birds along with a condition ensuring the possibility that bats use the buildings to be demolished is recognised and should follow a scheme of reasonable avoidance measures.

Officers' conclusion is that it would be in order to protect ecological interests through the inclusion of conditions.

#### 4.2.5 Drainage & Flood Risk

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.

There are no representations relating to the flood risk and drainage implications of the development. The applicant has submitted a Flood Consequences Assessment which Natural Resources Wales have assessed and are satisfied with. The proposal to relocate the replacement school building on land outside the flood risk area with a low probability of flooding from rivers and the sea is welcomed, and from a flood risk perspective is considered to be a betterment. The applicant has not provided any specific drainage details for approval but Dwr Cymru Welsh Water has raised no objection to the proposal subject to a standard condition requiring a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage.

In Officers' opinion, the consultation responses suggest there are no reasonable flood risk and drainage grounds to oppose the development of the application site.

#### 4.2.6 Highways/parking/access

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.

No concerns have been expressed in relation to highway or parking issues.

It is not considered that there are any significant highway issues here. The Highways Officer has raised no objection to the proposals subject to conditions requiring further details of the closing up and alterations to the existing vehicular accesses, full details of the site compound location and temporary vehicular access off Tynwydd Road including the design and construction of the access, traffic management scheme, relocation of the existing bus stop, vehicle wheel washing facilities, hours and days of operation and the management, routes and operation of construction vehicles, and a standard condition to ensure facilities are provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the approved plan.

#### 4.2.7 Inclusive design

Local Development Plan Policy RD1 test (vii) sets out the need to provide safe and convenient access for disabled persons. The requirement to embody the principles of inclusive design in development proposals is set out in Planning Policy Wales (Section 3.4) which outlines accessibility considerations to be given to all development proposals, reflected in TAN 12 Design, TAN 18 Transport, and through the obligation to submit Access Statements as part of most planning applications.

Within the Design and Access Statement, the approach to inclusion and disabled access to incorporate access for all into every aspect of the design has been set out, and it is considered that this has been addressed to an acceptable level.

#### 4.2.8 Sustainability codes and water management

Sustainable development is a key part of the Local Development Plan Strategy, and has been applied to the land use policies and allocations in the Plan. Planning Policy Wales (Section 4.12) sets out Welsh Government's drive to ensure that development proposals mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use, and eventual demolition, and outlines the requirement to move towards more sustainable and zero carbon buildings in Wales through application of specific standards for construction. The Sustainability Code requirements are referred to in TAN 22 Sustainable Buildings, which confirms the obligation on applicants to demonstrate that building(s) can meet specific standards of construction and carbon emission levels.

In the case of this submission, the application is accompanied by a BREEAM pre assessment report and Water Conservation Statement which demonstrates that the requirements of TAN 12 and TAN 22 can be satisfactorily addressed. Suitably worded conditions can be attached to ensure development is carried out in accordance with the requirements of the Sustainability Code.

### 5. SUMMARY AND CONCLUSIONS:

In Officers' opinion, the principle of the proposal is considered acceptable, and it is not considered there would be adverse local impacts subject to compliance with planning conditions.

#### **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. **PRE-COMMENCEMENT CONDITION**  
Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.
3. No demolition of buildings or structures or removal of trees or shrubs that may be used by breeding birds shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check for active birds' nesting immediately beforehand and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on the site. Any such written confirmation should be submitted to and approved in writing by the Local Planning Authority prior to the demolition or removal taking place and the development shall proceed in accordance with such approved details.
4. Demolition shall proceed following a scheme of Reasonable Avoidance Measures to avoid harming bats, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition works taking place. The development shall be undertaken in accordance with such approved details.
5. 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.

**6. PRE-COMMENCEMENT CONDITION**

No development shall commence until a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The development shall commence in accordance with such approved details.

**7. PRE-COMMENCEMENT CONDITION**

No development shall commence until scheme for the implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority.

**8. PRE-COMMENCEMENT CONDITION**

No development shall commence until full details of the closing up and alterations to the existing vehicular accesses including the detailed design, layout, construction and drainage has been submitted to and approved in writing by the Local Planning Authority. The access works shall be completed in accordance with the approved plans before the development is brought into use.

**9. PRE-COMMENCEMENT CONDITION**

No development shall take place until full details of the site compound location and temporary vehicular access including the design and construction of the access, traffic management scheme, relocation of the existing bus stop, vehicle wheel washing facilities, hours and days of operation and the management, routes and operation of construction vehicles has been submitted to an approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

10. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the approved plan, and which shall be completed prior to the proposed development being brought into use.

11. Construction of any building shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum BREEAM overall 'Very Good' and a minimum of 6 credits under 'Ene1- Reduction of CO2" Emissions has been achieved for that individual building in accordance with the requirements of BREEAM 2011.

12. Prior to the occupation of the school building, a 'Final Certificate' shall be submitted to the Local Planning Authority, certifying that a minimum BREEAM overall 'Very Good' and a minimum of 6 credits under 'Ene1 - Reduction of CO2" Emissions' has been achieved for that building in accordance with the requirements of BREEAM 2011.

**13. PRE-COMMENCEMENT CONDITION**

No development shall commence until a detailed lighting scheme in relation to the whole site has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

**14. PRE-COMMENCEMENT CONDITION**

No development shall commence until details of the opening hours of the sports/pitch facilities to be used outside of school hours has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details.

**15. PRE-COMMENCEMENT CONDITION**

No development shall commence until a noise assessment has been undertaken in relation to the new sports/games/pitch facilities on site including details of mitigation measures that may be necessary, has been submitted to and approved in writing by the Local Planning Authority. The assessment should include The development shall proceed in accordance with such approved details.

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. In the interests of visual amenity.
3. In the interests of nature conservation.
4. In the interests of nature conservation.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.
6. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.
7. To prevent flooding by ensuring the satisfactory storage of, and disposal of, surface water from the site.
8. 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.

9. In the interests of highway safety.
10. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
11. To comply with planning policy.
12. To comply with planning policy.
13. In the interests of visual and residential amenity.
14. In the interests of the amenity of the area.
15. In the interests of residential amenity.

#### **NOTES TO APPLICANT:**

##### **Highways**

Your attention is drawn to the attached notes:

Highway Supplementary Notes Nos. 1,2,3,4,5 & 10.

New Roads and Street Works Act 1991-Part N Form.

##### **Biodiversity**

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Breeding birds, their nests, eggs and dependent young are most likely to be found between 1 March and 31 August, but these dates are only a guide as some species do nest outside this period.

In terms of bats, the building may provide roosting features, but the location reduces the likelihood of bats being present. The possibility of bats using the building must be recognised and demolition should proceed following a scheme of Reasonable Avoidance Measures as required by Condition 4. Please see below for a generic scheme, alternatively the applicant can submit alternative measures to be agreed.

##### **Bats Reasonable Avoidance Measures:**

1. If possible, works should be carried out between November and end of February to avoid potential disturbance to breeding bats and/or birds.
2. Slates, ridge tiles/finishers, abutment flashings, door frames and window frames, structural members, lintel bearings, purlins or wall plates where these are involved, are all removed by hand where possible and with care to ensure that no torpid or hibernating bats are injured during the works. Similarly, defects to structural masonry should be lowered to prevent torpid / hibernating bats being injured.
3. If ivy or vegetation is to be removed from a building, this should be done by hand, inspecting for bats and/or nesting birds.
4. If torpid or hibernating bats are uncovered at any time during the works, works must stop immediately and further advice sought from a licensed bat worker.

Bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). If bats are found at any time then demolition should stop immediately and a licensed bat ecologist should be contacted for advice to ensure an offence is not committed.

##### **Public Footpath**

A Public Rights of Way, Public Footpath 3 (Rhyl Community) crosses the development area.

Hence, this Public Right of Way needs to be safeguarded at all times.

No building materials to be stored on the right of way, which may cause a nuisance, or obstruction to the user.

No diminution in width of the Footpath as a result of the development



No additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature, unless approved by the Public Rights of Way Unit.

Any change in the surface of the Footpath, will have to be approved via a conditioned licence from the Public Rights of Way Unit. Please contact the Unit on 01824 706872 for further information.

During construction works, for safety reasons it is likely that the Footpath will have to be formally closed off to the general public. Hence, it is imperative that the developers contact the Public Rights of Way Unit on the same number above (01824 706872), at least 6 weeks prior to any works commencing to apply for a temporary closure.

#### Dwr Cymru Welsh Water SEWRAGE

Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Foul water and surface water discharges shall be drained separately from the site. Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The Welsh Government have introduced new legislation that will make it mandatory for all developers who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW). The Welsh Ministers Standards for the construction of sewerage apparatus and an agreement under Section 104 of the Water Industry Act (WIA) 1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW.

Welsh Government introduced the Welsh Ministers Standards on the 1st October 2012 and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with us at the earliest opportunity. Further information on the Welsh Ministers Standards is available for viewing on our Developer Services Section of our website - [www.dwrcymru.com](http://www.dwrcymru.com)

Further information on the Welsh Ministers Standards can be found on the Welsh Government website - [www.wales.gov.uk](http://www.wales.gov.uk)

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652.

#### SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

#### WATER SUPPLY

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

**Natural Resources Wales  
Flood Defence Consent**

Please be advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of Natural Resources Wales is required for any works, or structures, located in, under, over or within 7 metres of the bank top of Rhyl Cut, designated "main river". You are advised to contact Ryan Knowles at the Buckley office on 01244 894570 to discuss this requirement further.

**Environment Management**

When disposing of waste from the site, the developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal options. The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.

The developer should follow the advice within Pollution Prevention Guideline No. 3: Use and Design of oil separators in Surface Water Drainage systems.