

## **Appendix B LAND EAST OF BODELWYDDAN**

### **UPDATED SUGGESTED PLANNING CONDITIONS**

#### **General**

1. Details of the appearance, layout and scale of the buildings and the landscaping for each Phase of the development (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development of that Phase commences. The development shall be carried out in accordance with the approved details.
2. Application for the approval of reserved matters for the first phase of the development hereby permitted as approved under condition 9 shall be made to the Local Planning Authority no later than the expiration of five years from the date of this permission and the last application for the reserved matters approval shall be made no later than 15 years beginning on the date of this permission.
3. Each phase of the development hereby permitted as approved under condition 9 shall be begun not later than three years from the date of the approval of the last of the reserved matters to be approved for that phase.
4. The development hereby permitted shall be carried out strictly in accordance with the details shown on the following submitted plans: Land Use Parameter Plan 27788\_02\_001 rev02; Movement Infrastructure Plan 27788\_02\_002 rev02; Green Infrastructure Parameter Plan 27788\_02\_003 rev02; Building Heights Parameter Plan 27788\_02\_004 rev02; Residential Density Parameter Plan 27788\_02\_005 rev02 and illustrative master Plan 27788\_01 SK200 Rev. J all received 20<sup>th</sup> December 2013, unless specified as otherwise within any other conditions pursuant to this decision notice.
5. No more than 1715 dwellings (C3) shall be developed on the site. The Care Home (C2) shall not exceed 80 bedrooms and 50 close care flats. The Hotel (C1) shall not exceed 100 guest bedrooms.
6. The 'A Class' uses (A1, A2, A3) hereby permitted shall not exceed a total of [2,500 sqm (gross internal floorspace)]. The A Class uses permitted shall be developed in accordance with the phasing plan approved pursuant to Condition 9.
7. The 'B Class' employment uses (B1, B2 and B8) hereby permitted shall not exceed a total of [88,260 sqm (gross floorspace)]. The B Class employment land permitted shall be developed in accordance with the phasing plan approved pursuant to Condition 9.
8. The health facility (D1 Use Class) hereby permitted shall be provided within the main local centre and its gross internal floor space shall be as further agreed in writing by the Local Planning Authority.
9. Prior to the submission of any reserved matters applications a detailed phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of the location, amount, and phasing of the delivery of the following:

- a. The access for the site, construction of the spine road and the laying out of pedestrian and cycle infrastructure;
- b. The residential dwellings to include affordable housing;
- c. The employment land;
- d. The residential care home;
- e. The local centre and community facilities (the retail, health centre and primary school);
- f. The green infrastructure (by type) including areas of public open space, areas of play (including LEAPs, NEAPs and playing pitches), the allotments and orchards.
- g. The improvements to Sarn Road / Abergele Road.
- h. The advanced planting, mounding and grading required for identified areas around the site.

The phasing plan shall include details of the sequence in which the phases are to be developed individually or concurrently to each other.

The development shall be carried out in accordance with the phasing plan thus approved at that time.

10. No development shall take place, within any phase of the development, including any works of demolition or clearance, until a Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:
  - a. measures for traffic management, parking and turning of vehicles of site personnel, operatives and visitors;
  - b. the loading and unloading of plant and materials;
  - c. piling techniques if necessary;
  - d. the storage of plant and materials used in constructing the development;
  - e. the erection and maintenance of security hoarding and lighting;
  - f. a scheme for protection of trees, hedgerows and other natural features;
  - g. installation and maintenance of wheel washing facilities to prevent mud from vehicles leaving the site during construction;
  - h. measures to control the emission of dust, dirt and odour during construction;
  - i. a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - j. an appropriately scaled plan showing "Environment Protection Zones" where construction activities are restricted and where protective measures will be installed or implemented;
  - k. construction working and operational times;
  - l. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works;
  - m. details of measures to maintain pedestrian access at trunk road junctions / slip roads;
  - n. details of the storage of spoil or other excavated or deposited material in the site.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

11. There shall be no occupation of buildings hereby permitted until the following services and infrastructure are completed for those buildings as appropriate in accordance with the plans approved for each phase of the development pursuant to Conditions 1, 2 and 5:

- a. The vehicular, cycle, pedestrian access including internal estate roads and junctions;
  - b. Foul water, sewerage and drainage infrastructure;
  - c. Electricity, gas and telecommunications utility infrastructure;
  - d. Household and commercial waste storage and recycling facilities.
12. Prior to commencement of the phase(s) of development in which the retail (A Use Class), employment (B Use Class), Care Home (C2 Use Class), Hotel (C1 Use Class) and the Health Centre are to be provided, details of the marketing strategies for those facilities shall be submitted to and approved in writing by the Local Planning Authority. The marketing strategies shall set out how the facilities are to be marketed, the period of marketing and the media through which the marketing will occur. The marketing of the facilities shall be carried out in accordance with the approved strategies.
13. Notwithstanding the provisions of condition 4 and the details shown on the listed Parameter Plans the location of any primary vehicle route within the site shall be as further agreed by the Local Planning Authority. Only that route subsequently agreed shall be implemented thereafter.

## Highways

14. The proposed connections to the existing highway shall be laid out in general accordance with the following plans in the Transport Assessment (AECOM, November 2013) (Figure 28 and Figure 29). No development shall take place until full engineering details of these proposed access connections to the highway, including Road Safety Audits, have been submitted to and approved in writing by the Highway Authority.
15. No dwelling hereby approved shall be occupied before a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be generally in accordance with the framework travel plan submitted with the Transport Assessment (AECOM, November 2013). The Travel Plan shall be implemented as approved by the Local Planning Authority.
16. The reserved matters applications submitted pursuant to condition 1 shall incorporate details of the public footpath shown on plan 27788\_02\_002 rev03.
17. Details of car parking provision within the local centre, primary school and employment areas to be constructed as part of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their construction and the development shall be carried out and thereafter retained in accordance with the details thus approved.
18. Details of cycle parking provision within the local centre, primary school and employment areas to be constructed as part of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their construction and the development shall be carried out and thereafter retained in accordance with the details thus approved.
19. Prior to the commencement of the development a traffic monitoring scheme shall be submitted for the approval of the local planning authority. The submitted traffic monitoring scheme shall monitor traffic movements at Junctions 25, 26 and 27 of the A55 and included therein will be a methodology and frequency to be used for such monitoring and the reporting arrangements. Should the development hereby approved

be delivered in a manner that differs materially from the assumptions set out in table 7 and 8 of the approved Transport Assessment 2013, then the 26% reduction allowed for employment floorspace related links and internal trips will be reconsidered and should the results of the appropriate monitoring prove it is necessary to remove this reduction then appropriate and necessary mitigation at Junctions 25, 26 and 27 of the A55 shall be submitted to the Local Planning Authority for approval and thereafter be implemented in accordance with the approved mitigation.

## **Drainage**

19. The development hereby permitted shall not be commenced until such time as the results of details hydraulic and hydrological modelling, as referred to within paragraphs 5.2.6.1, 5.5.6.2 and 5.5.6.2 of the approved Flood Consequences Assessment (AECOM, November 2013) has been submitted to and approved in writing by the Local Planning Authority.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

20. Prior to commencement of each phase of development no development shall take place until a surface water drainage scheme for the development, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year rainfall critical storm (including an appropriate allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include details on how surface water generated during design "exceedance" events can be safely stored on or conveyed from the site without adverse impact.

21. No drainage from the development site shall be connected to or allowed to discharge into the trunk road drainage system, and the proposed access shall be constructed such that the access does not drain onto the trunk road.
22. No buildings on the development site shall communicate with the public sewerage network earlier than 1st June 2019, unless the upgrading of the public sewerage system, into which the development shall drain has been completed and written confirmation of this has been issued to the Local Planning Authority by Dwr Cymru Welsh Water

## **Ecology**

23. Prior to the commencement of any phase of the development hereby approved an Ecological Mitigation and Management Plan for that phase will be submitted to and approved in writing by the Local Planning Authority. The Plan shall include provision

for habitat creation, management and monitoring for the development hereby permitted, as outlined in the Environmental Statement and associated ecology survey report.

24. No phase of the development hereby permitted shall be commenced until a scheme for the provision of suitable bat bricks/bat access tiles and bird nesting boxes to be erected on buildings within the site has been submitted to and approved in writing by the Local Planning Authority for that phase. The scheme shall include details of box type, location and timing of works. Thereafter, the bat bricks/bat access tiles and bird nesting boxes shall be installed and retained in perpetuity.

## **Archaeology**

25. No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The written scheme of investigation should take account of the agreed Heritage Desk Based Assessment (EED12378-100\_R\_3\_3\_1\_JGS\_JD, November 2013), the Geophysical Survey Reports (BDW101, April 2011 and October 2011) and the Archaeological Evaluation (BKSSS13, November 2013). The findings of the archaeological works undertaken pursuant to the written scheme of investigation shall be submitted to the Local Planning Authority prior to the determination of the Reserved Matters applications for the individual phase of the development to which the archaeological works relate and any agreed areas of archaeological preservation shall remain as such thereafter.

## **Design**

26. Prior to the submission of any reserved matters application for any phase of the development hereby approved, a Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall substantially accord with the principles of the Design and Access Statement (November 2013) and will be founded on the objectives set out on page 118 thereof. The Design Code shall include the following:
  - a. Principles for determining the quality, colour and texture of external materials and facing finishes for roofing and walls of buildings and structures including opportunities for using recycled construction materials;
  - b. Principles of built-form strategies to include density and massing street grain and permeability, street enclosure and active frontages, type and form of buildings including relationship to plot and landmarks and vistas.
  - c. Principles of hard and soft landscaping including, advanced planting, mounding and grading areas, and the inclusion of important trees and hedgerows;
  - d. Principles for determining the design of structures (including street lighting, lighting and boundary treatments for commercial premises, street furniture and play equipment);
  - e. Principles for determining the design of the public realm, areas of public open space, areas for play (including LEAPs, NEAPs), the allotments and orchards.

- f. Principles for determining the design and layout of sports and leisure provision;
- g. Principles of conservation of flora and fauna interests and encouragement of biodiversity;
- h. Principles of a hierarchy of streets and spaces;
- i. Principles for the alignment, width, and surface materials (quality, colour and texture) proposed for all footways, cycle ways, bridleways, roads and vehicular accesses to and within the site (where relevant) and individual properties;
- j. Principles for on-street and off-street residential and commercial vehicular parking and/or loading areas;
- k. Principles of cycle parking and storage.

Applications for approval of reserved matters for that phase shall thereafter be in accordance with the associated approved Design Code.

27. No phase of the development hereby permitted shall be commenced until detailed plans and sections showing existing and proposed site levels for that phase and showing the proposed relationship with adjacent phases have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.

## **Landscape**

28. No phase of the development hereby permitted shall be commenced or equipment, machinery or materials brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site for that phase has been submitted to and approved in writing by the Local Planning Authority and has been put in place.

The scheme must include details of the erection of stout protective fencing in accordance with British Standard 5837 (Trees in relation to design, demolition and construction). Fencing shall be shown on a plan and installed to the extent of the tree protection areas as calculated using the British Standard. Nothing shall be stored or placed in those fenced areas or the ground levels altered without the prior consent in writing of the Local Planning Authority.

The development shall be carried out in accordance with the approved scheme which shall be kept in place until the phase of the development has been completed and all equipment, machinery and surplus materials have been removed.

29. Prior to the commencement of site works for a phase, full details of hard and soft landscape proposals for the areas of areas of open space and structural landscaping shown on Green Infrastructure Plan Green Infrastructure Parameter Plan 27788\_02\_003 rev02 shall have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

The submitted details shall also include:

- a. the timing of implementation to include advanced planting, mounding and grading to identified areas around the site;
- b. planting plans;

- c. written specifications;
- d. a schedule of plants noting species, plant sizes and proposed numbers;
- e. existing landscape features such as trees, hedges and ponds to be retained accurately plotted (where appropriate);
- f. existing landscape features such as trees, hedges and ponds to be removed accurately plotted (where appropriate);
- g. existing and proposed finished levels (to include details of grading and earthworks where appropriate).

The hard and soft landscaping approved as part of this condition shall be completed in accordance with the approved timing details.

Any planting that is removed, uprooted, severely damaged, destroyed or dies within five years of the date of planting shall be replaced by the approved type planting by the end of the first available planting season.

30. A Landscape Management Plan for the areas of open space and structural landscaping shown on Green Infrastructure Parameter Plan 27788\_02\_003 rev02 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall:
- a. address how the long term design objectives will be achieved;
  - b. set out how and when advanced planting, mounding and grading will achieve the stated levels of visual mitigation set out in the Environmental Statement;
  - c. set out what measures will be taken during the period of the management plan to ensure that the minimum standard of mitigation set out in Item b) above, is achieved;
  - d. set out management responsibilities under the management plan;
  - e. set out maintenance schedules, for the areas of advanced planting, mounding and grading, open space and structural landscaping shown on Green Infrastructure Parameter Plan 27788\_02\_003 rev02].

The Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. This may be submitted on a phase by phase basis. The Landscape Management Plan shall be carried out as approved for all open space and structural landscaping shown on the Green Infrastructure Parameter Plan 27788\_02\_003 rev02. Supplementary management plans may be submitted for individual development plots on a phase by basis.

### **Ground, Noise, Air Quality**

31. No work shall commence on the site unless the further intrusive site investigations detailed in the Phase 1 Geotechnical and Geo-environmental Desk Study Report (AECOM, November 2013) have been undertaken and the results, including any mitigation measures, have been submitted to and approved in writing by the Local Planning Authority. Any mitigation measures proposed as a result of the investigations shall be carried out in accordance with the approved details and a validation report shall be submitted within 4 months of the works being carried out to the Local Planning Authority confirming that the mitigation works have been completed.
32. Construction works, construction related works or construction related deliveries shall not be carried out on the site outside of the following hours and at no time on Sundays or Bank Holidays:

Monday to Fridays 08:00-18:00 hours; Saturdays 08:00-13:00 hours.

33. In addition, piling operations or vehicle/equipment maintenance shall not be carried out on the site outside of the following hours and at no time on Saturdays, Sundays or Bank Holidays:

Monday to Fridays 09:00-16:00 hours.

34. There shall be no deliveries to or collections from any non-residential building outside the hours of 07:00-19:00 Mondays-Saturdays or at any time on Sundays or Bank or Public Holidays.
35. No security lighting or floodlighting shall be installed on any non-residential building until full details have been submitted to and approved in writing by the Local Planning Authority. All such installations shall be designed and located to avoid nuisance to the occupiers of nearby dwellings, and shall be implemented and thereafter retained in accordance with the approved details.
36. Development shall not begin on any non-residential building until details of any externally mounted plant or equipment or any internal equipment which vents externally, including any extraction ventilation system for a cooking area, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
37. Reserved Matters applications pursuant to the development hereby approved shall, as necessary, incorporate the noise mitigation measures identified in the approved Noise Assessment (AECOM, December 2013, Section 6).
38. Reserved Matters applications pursuant to the development hereby approved shall, as necessary, incorporate the mitigation measures identified in the approved Air Quality Assessment (AECOM, November 2013, Section 7).

## **Waste**

39. No development shall commence in a phase of the development until a Site Waste Management Plan as set out in the Sustainable Resource and Waste Management Strategy (AECOM, November 2013) for that phase of development has been submitted to and approved in writing by the Local Planning Authority. The Site Waste Management Plan shall include details of the waste storage and recycling facilities for that phase of the development including the responsible management body and maintenance arrangements. The development shall be carried out in accordance with the approved details and retained thereafter as such.

## **Energy and Sustainability**

40. Prior to the approval of any reserved matters for each phase details of the decentralised, renewable or low carbon energy sources designed to meet the objectives of the Energy Strategy (AECOM, November 2013) shall be submitted and approved by the Local Planning Authority.
41. The non-residential elements of the proposed development will meet BREEAM 'very good' environmental performance standard. Prior to the commencement of each phase of the development which contains non-residential development, details of how



the buildings will achieve the BREEAM target for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the BREEAM target to be achieved and certificates supplied to the Local Planning Authority upon issue.

### **Welsh Language**

- 42 The development hereby approved shall be undertaken in accordance with, and implement measures identified in, the Welsh Language Impact Assessment submitted by the applicant (Barwood, December 2014) unless otherwise agreed in writing by the Local planning Authority.

## Reasons

1. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. For the avoidance of doubt and to ensure a satisfactory standard of development.
5. For the avoidance of doubt and to ensure a satisfactory standard of development.
6. For the avoidance of doubt and to ensure a satisfactory standard of development.
7. For the avoidance of doubt and to ensure a satisfactory standard of development.
8. For the avoidance of doubt and to ensure a satisfactory standard of development.
9. For the avoidance of doubt and to ensure elements of the scheme are delivered at appropriate times.
10. In the interests of residential amenity, highway safety and the protection of the environment.
11. In the interests of residential amenity, highway safety and the protection of the environment.
12. To ensure the development proceeds in a co-ordinated and appropriate manner.
13. For the avoidance of doubt.
14. In the interests of highway safety.
15. In the interest of ensuring the availability of sustainable travel to and from the site.
16. In the interests of pedestrian mobility and safety.
17. In the interests of highway safety and to ensure the safe parking of vehicles clear of the highway.
18. In this interests of cycle users and to ensure sustainable travel.
19. To reduce the risk of flooding to the proposed development and future occupants.
20. To prevent the increased risk of flooding, both on and off site.
21. To prevent the increased risk of flooding, both on and off site.
22. In the interests of the efficient use of the public sewerage system and to safeguard and protect the water environment.
23. In the interests of the protection of the areas/species of nature conservation importance.
24. In the interests of the protection of the areas/species of nature conservation importance.
25. In order to protect and preserve areas of archaeological interest.
26. For the avoidance of doubt and to ensure a satisfactory standard of development in the interests of amenity.
27. For the avoidance of doubt and to ensure a satisfactory standard of development in the interests of amenity.
28. In the interests of nature conservation.
29. In the interests of visual amenity and to ensure a satisfactory standard of landscaping within the development.
30. In the interests of visual amenity and to ensure a satisfactory standard of landscaping within the development.
31. In the interests of the protection of the natural environment and to ensure a satisfactory standard of development.
32. In the interests of residential amenity.
33. In the interests of residential amenity.
34. In the interests of residential amenity.
35. In the interests of residential amenity.
36. In the interests of residential amenity.
37. For the avoidance of doubt and in the interests of residential amenity.

38. For the avoidance of doubt and in the interests of residential amenity and the environment.
  39. In the interests of ensuring a sustainable development and for the protection of the environment.
  40. In the interests of ensuring a sustainable development and for the protection of the environment.
  41. In the interests of ensuring a sustainable development and for the protection of the environment.
  42. To safeguard and enhance the Welsh Language and Culture.
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