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20/2017/0819

Scale: 1:2500

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SITE LAYOUT

NOTES

DO NOT SCALE OFF DRAWING

1:500 @A2
DATE: 1:500 @A2

Rev.	Description	Measurement	Scale
C	08/18 Planning ISSUE	1:500	1:500
B	08/17 TENDER ISSUE	1:500	1:500
A	06/17 Pre-planning consultation	1:500	1:500



Project Name
Llanfair DC
Proposed New
School
Project Number
P1_16_012

Client
Denbighshire Council

Design
XXX XXX
XXX XXX

Date
June 2017

Scale
1:500 @A2

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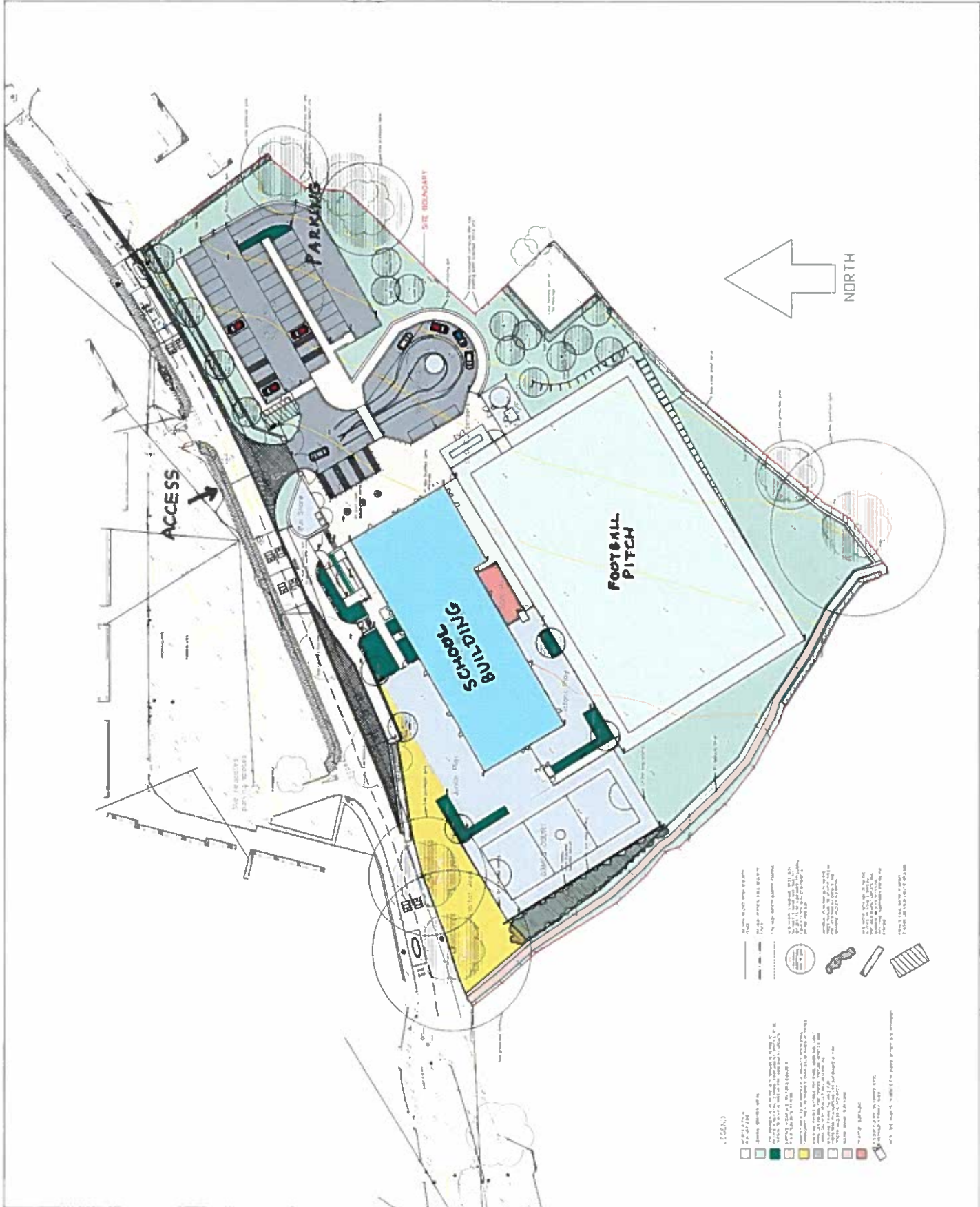
Design
XXX XXX
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Date
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Scale
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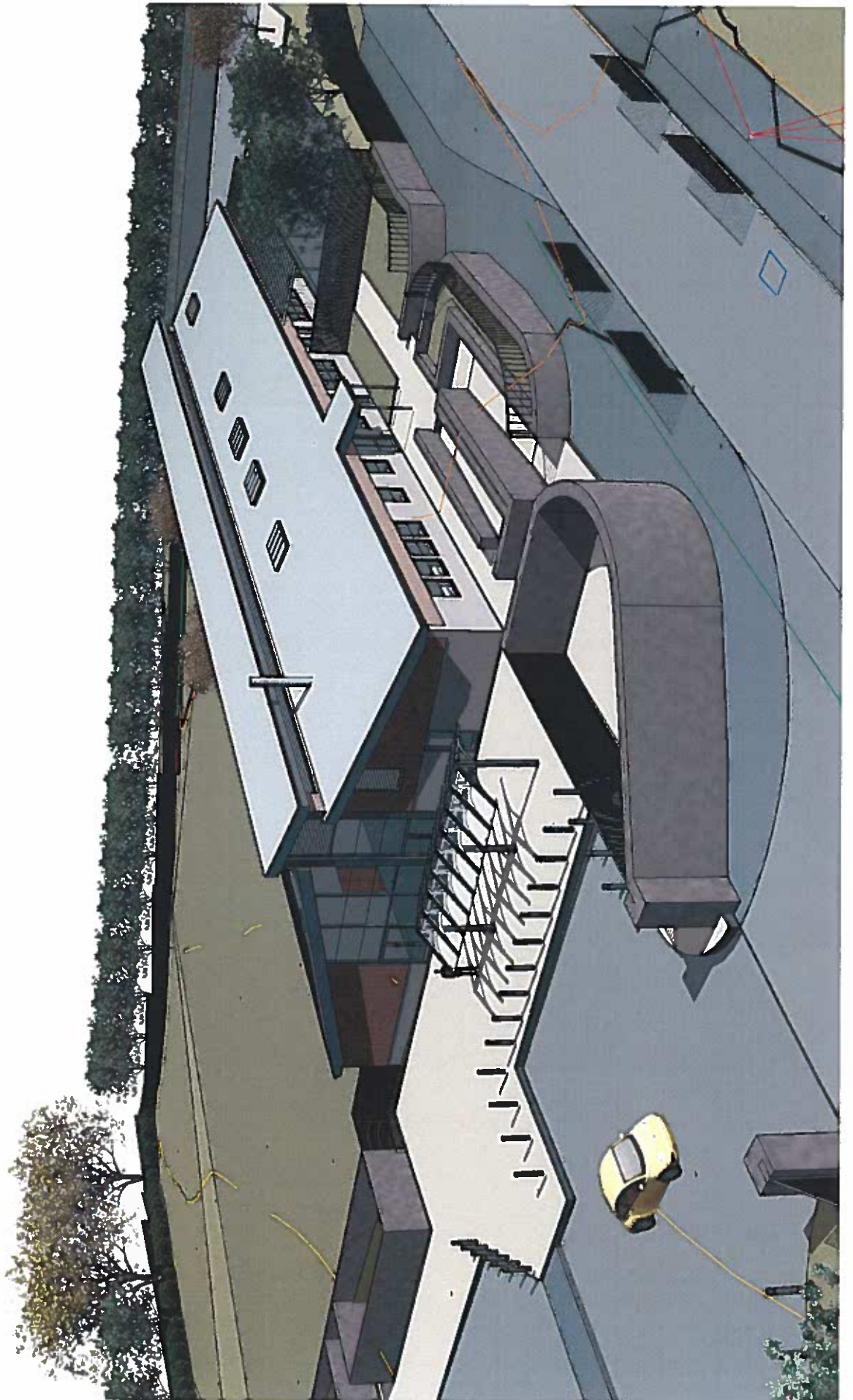
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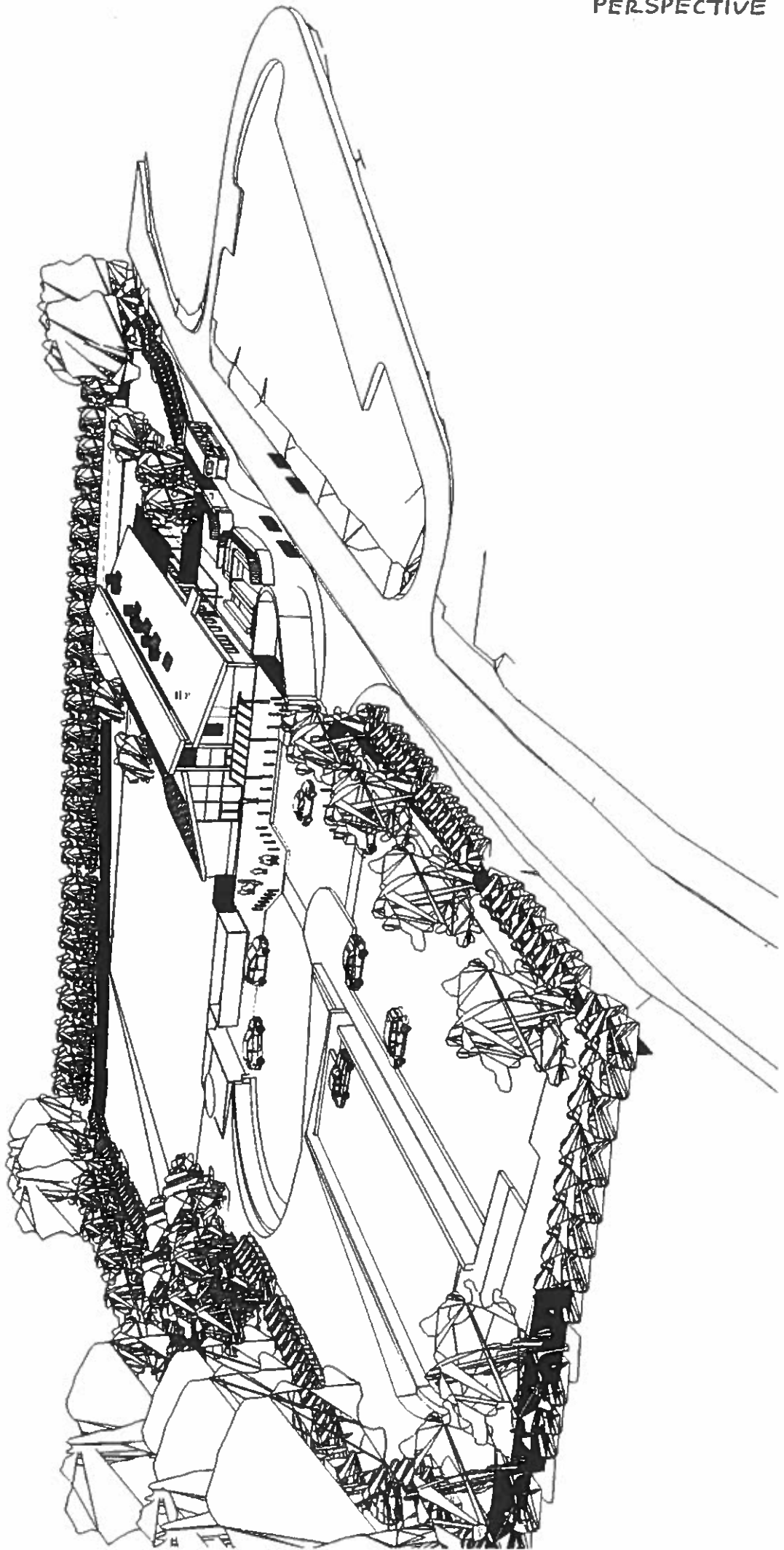


- LEGEND**
- Building
 - Pitch
 - Parking
 - Site Boundary
 - Access
 - Path
 - Tree
 - Lighting
 - Boundary
 - Other

PERSPECTIVE SKETCH



PERSPECTIVE SKETCH



WARD : Llanfair Dyffryn Clwyd / Gwyddelwern

WARD MEMBER: Councillor Hugh Evans

APPLICATION NO: 20/2017/0819/ PF

PROPOSAL: Development of 1.24 ha of land by the erection of a new primary school including external play areas, habitat area, formation of new vehicular access, car parking with drop off area, landscaping, bin store, LPG and sprinkler tanks and associated pedestrian links

LOCATION: Glebe Land Opposite Bron Y Clwyd Llanfair Dyffryn Clwyd Ruthin

APPLICANT: Denbighshire County Council

CONSTRAINTS: Tree Preservation Order PROW Conservation Area

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

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

- Referral by Head of Planning / Development Control Manager
- Major Council application

CONSULTATION RESPONSES:

LLANFAIR DYFFRYN CLWYD COMMUNITY COUNCIL

Original response

“The above application was discussed at Llanfair D C Community Council's meeting held on 6 November 2017 when it was agreed that the application be supported in principle.

Although there is reference to a footpath to link the proposed housing development through Bron y Clwyd to the new school it is not expressly shown within the documents presented. Assurances are also being sought about managing traffic, including calming measures, and whether they are adequate both through the village and to and from the new school. The development will have an impact on residents whether they live near the boundary of the new school or the footpath link and it is hoped that there will be further discussions with those affected in a positive and sensitive manner. Members have expressed a preference for mains gas rather than LPG and have asked to see any conditions attached to the application.”

A further response is awaited from the Community Council following submission of additional information and will be reported in the late Information sheets.

NATURAL RESOURCES WALES

No objection subject to the inclusion of conditions relating to undertaking ecological

mitigation, Compensation and Enhancement Method Statement; Post-development monitoring and the submission and implementation of a Biosecurity Risk Assessment.

DWR CYMRU / WELSH WATER

No objection to the drainage strategy

CLWYD POWYS ARCHAEOLOGICAL TRUST (CPAT)

Original Response requested pre-determination archaeological assessment of the site.

Following pre-determination archaeological evaluation carried out at the site, CPAT note some possible post medieval archaeological features were found, but indicate these are of limited archaeological interest. Therefore have no objection.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

Highways Officer

Highways Officers have given advice on this scheme from an early stage and given consideration to the following elements of the proposals;

- Capacity of existing network
- Accessibility
- Site access
- Site Layout
- Parking

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

- Site Plans
- Transport Assessment
- Travel Plan

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

Capacity of Existing Network

Criteria viii) of Policy RD 1 advises that proposals should not have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and incorporates traffic management/calming measures where necessary and appropriate. Having regard to the scale of the proposed development, the existing highways network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highways network in terms of capacity.

The Bron y Clwyd/A525 Wrexham Road Junction will be subject to improvements as part of the development, it is proposed that a give way system be introduced on Bron Y Clwyd. Other improvements proposed are a 20mph speed limit on Bron Y Clwyd outside the school with widened footways, pedestrian crossing points, bus parking bay and associated parking restrictions.

Accessibility

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

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

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

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

Safe access to the new school building is a high priority for all pupils, pedestrian access will be located from the Bron Y Clwyd road where a footway will be created adjacent to the site. The current pedestrian footway on the east of the carriageway will also be extended to improve access. Additionally a new pedestrian route will be provided via the consented housing development adjacent to Wrexham Road which will link into the Bron Y Clwyd housing estate. This will require the cooperation of the Developer and it is proposed to be delivered once phase one of the housing scheme is completed and this will be conditioned in the housing scheme phasing plan. There are risks involved in this if the housing is not built as the timescales are unclear. In the interim it is proposed to provide school transport to those pupils affected and this arrangement will continue until such time as the new safe link is available for use.

Site Access

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

The proposed site access arrangements demonstrate compliance with the visibility standards set out in Annex B TAN 18 and are therefore considered to be acceptable. Site Layout (including roads, pavements, manoeuvring, lighting etc.)

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

Specific design guidance is contained within the following documents;

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

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

Parking

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

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

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

The proposed parking arrangements are compliant with the standards set out in the Parking SPG and are therefore considered acceptable.

Recommendation

Having regard to the detailed assessments above, Highways Officers would not object to the proposed development, it is not considered that the development would have an unacceptable impact on the local highway network, the access and associated works would comply with standards and therefore it is not considered there would be any reasonable grounds to refuse permission on highway grounds.

Please be aware that in addition to planning permission the following agreements will need to be secured in order for the highways works related to the scheme to be authorised;
This agreement relates to the adoption of any new highways proposed.
Highways Act 1980 Section 38/278 Agreement

This agreement relates to works required to existing highways which are proposed to be improved as part of the development.

The following matters shall be drawn to the applicant's attention as Advisory Notes.

- Highway Supplementary Notes Nos. 1,3,4,5 & 10.
- New Roads and Street Works Act 1991-Part N Form.

Flood Risk Manager
No objection

Archaeologist
Original response requests pre-determination archaeological assessment of the site.

Following pre-determination archaeological evaluation carried out at the site, notes some possible post medieval archaeological features were found, but considers these are of limited archaeological interest. Therefore has no objection.

Ecologist
No objection subject to the inclusion of conditions

Tree Specialist
Notes removal of trees T1 and T2. Suggests a landscaping condition and submission of Arboricultural Method Statement.

RESPONSE TO PUBLICITY:

The following letters have been received containing comments of objection, support and general comments:

Mr S and Mrs C Whipp, Pen Yr Ardd, Llanfair DC
P. Bennett-Lloyd, Bryn, Llanfair D.C.
Dilys and George Carter, 7 Parc y Llan, Llanfair DC

Summary of planning based representations in objection:

Highway safety including pedestrian routes:

Traffic calming measures proposed are an innovative solution but will not address the problem and will inevitably lead to vehicle conflicts; given the proximity of pedestrians along this length of road this is building in a hazard and gives rise to safety concerns; urge the developer to think beyond the immediate environs of the school and its frontage and to consider how the area could be made safer, without addressing this issue, a hazard will be created for pedestrians approaching the school from the A525; encourage any measures that can be made to increase the use of walking or cycling to the school to provide the health benefits from more active lifestyle.

In view of the concerns and issues raised suggest that the traffic and highway proposals relating to this proposal be reconsidered and addressed and that a more suitable, less hazardous proposal be put forward.

Drainage

Drainage proposals for the site give cause for concern, in respect of dealing with surface water and highway drainage. Both highway and site surface drainage propose to connect into the top of the existing surface water system at Bron y Clwyd, given that the proposed housing development for 63 houses by Pure also intends using this outlet for surface water drainage we have concern that insufficient thought has been given to the combined effects of additional run-off from the new school, the upgraded highway and the new housing development.

Summary of planning based representations in support

Welcome the proposal to provide a replacement school in the village which will meet the need of current and future generations.

Overall, the new school should hopefully address many of the shortcomings of the current premises and provide many new opportunities for learning in a well designed environment.

The design of the building and its services has been conducted with care and it will represent an asset for the community.

Welcome the proposal to maintain use of the Welsh language in the school at a practical level.

Welcome the provision of a community room in the school. There is currently a review of community provision in conjunction with the management group for the Neuadd Eleanor village hall and the provision of the community room in the school will allow future needs to be considered for the village such as for mother and toddler groups and nurseries which would benefit from a close relationship with the school.

General comments:

Suggest that a 'living wall' be included instead of some of the hard landscaping proposed.

Welcome the creation of a 20mph zone outside the school and would ask whether, given other concerns about excess traffic speed in the village, that the extent of the zone should be increased and extend out to include a section of the A525 to either side of the junction with Bron y Clwyd.

Highways:

Notes that pedestrian access from the proposed development currently under planning consultation is being considered. It would be preferable that pedestrian access could be

provided to reduce the need for people to walk through this bottleneck

Ecology

Method statement detailing reasonable avoidance measures for reptiles must also be provided specifically associated with walled part of the site. The landscaping and habitat creation areas could also usefully provide habitat to support reptiles.

Justification for loss of housing allocation.

Similar to the line in the Transport Assessment, the presumption that the site of the old school may offer a windfall allocation is purely speculative. The land behind the school is allocated as green space within the current Local Plan. It lies within a Conservation Area, is bordered by extensive mature trees with expansive root systems and the site incorporates a listed building which forms a significant setting to the core of the village. There has been no consultative process to determine successor use of the site which may have several alternative uses to support a vibrant and growing community. These may include business start-up or technology hub, supporting local enterprise or community facilities such as retail space, community garden etc.

A Community Plan is currently being developed with the support of the Community Council and it is imperative that any proposal for the redevelopment of the old school site are fully informed by this Plan and subject to local community involvement and consensus.

Water Strategy

The incorporation of rainwater harvesting and reuse infrastructure in a new-build facility such as this is likely to have a significantly shorter pay-back period than retrofitting and reduce the overall medium-long-term running costs of the school and should be considered further.

Habitat Area

Note the inclusion of a habitat area, the siting of the habitat area is at the front of the school and it may be considered desirable to reconsider the layout of the site and surrounding features to allow a poly-tunnel to be provided in a less visually prominent position.

Other matters

Although documentation provides insight in the Well Being assessment to the design of the school building, no design statement has been provided with respect to sustainability aspects. It is apparent that the design provides roof and window features that should ensure a light interior and one which benefits from solar gain. There is no detail provided on proposals for fitting renewable energy sources including photo-voltaic panels or solar water heating panels. Also, whether consideration has been given to other potential sustainability features and for dealing with waste arising from the site using circular economy principles.

Encourage consideration of such a provision to be made and for a sustainability statement to be provided for the development. We welcome the use of BREEAM and consider that this should continue to be used throughout the life of the building and that reports should be made available periodically.

EXPIRY DATE OF APPLICATION: 13/12//2017

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The proposal is for the erection of a new school in the village of Llanfair Dyffryn Clwyd on 1.24ha of land known as The Glebe Land. This is located opposite to the Bron y Clwyd housing development, on the south side of the main road running through the village west from the A525.

- 1.1.2 The proposed development includes external play areas, a habitat area, formation of a new vehicular access, car parking with a drop off area, landscaping, a bin store, LPG and sprinkler tanks and associated pedestrian links. The layout plan is included at the front of the report.
- 1.1.3 Submitted documents explain that the new development is required as the existing school only allows the delivery of the basic curriculum entitlement and restricts the potential to deliver the innovative curriculum required by the 21st Century learning. The condition of the existing school has been assessed as 'poor – exhibits major defects' and as having deficiencies in terms of car parking, staff areas, public areas and accessibility.
- 1.1.4 The proposed school building would be sited in the western part of the site with the vehicular and pedestrian access located towards the eastern end of the site off the existing highway, leading to a drop off area, a 34 space car park, bus parking area and cycle storage facilities.
- 1.1.5 Safe routes to school are proposed and in order to facilitate this, in addition to widening pavements within the area it also proposed to form a pedestrian footway on Bron y Clwyd. The proposed route would be located on Council owned land which currently forms part of 29 Bron y Clwyd. The route would link through to the recently approved housing development and as part of that scheme, a footpath will be provided which will link to a pedestrian crossing point to be provided on Wrexham Road.
- 1.1.6 The walls of the proposed building would be finished in painted roughcast cement with timber weatherboarding, and the roof would be clad with a pre-weathered aluminium strip/sheet covering.
- 1.1.7 To the rear of the proposed school building, it is proposed to site a football pitch. There would be a games court sited to the west and a habitat area to the north-west.
- 1.1.8 Within the building, all learning space is proposed at ground floor level and includes an assembly hall, library and community room, ancillary toilets, office and staff facilities, storage space and other functional and welfare facilities required for the operation of the school. Within the roof space is a plant room with kitchen facilities such as a preparation area, and cooking and cleaning facilities would be located above the kitchen at ground floor level. Below is an artists impression of the development.



1.1.9 In addition to detailed plans, the following documents have been submitted with the application:

- Planning, Design and Access Statement
- Report on Pre-Application Consultation
- Transport Assessment
- Ecological Assessments
- Arboricultural Survey, Impact Assessment and Method Statement
- Designing Out Crime Report
- Travel Plan
- Ground Investigation Report
- Geo-Environmental Report
- Geo-Physical Report
- Hedgerow Assessment
- Noise Impact Assessment
- Drainage Strategy
- Well Being Impact Assessment
- Archaeological Assessment

1.1 Description of site and surroundings

1.1.1 The application site consists of 1.24ha of land described as improved grassland located to the south of the Bron y Clwyd housing estate, approximately 150m to the south west of the old centre of the village of Llanfair Dyffryn Clwyd.

1.1.2 The site slopes gently up from north to south and is bounded predominantly by wire fencing with hedges and trees. To the east and west of the site are residential properties and beyond the site boundary to the south and south west is open agricultural land.

1.1.3 There are a number of mature trees located along the highway boundary.

1.1.4 A public footpath runs along the western boundary of the site.

1.2 Relevant planning constraints/considerations

1.2.1 The site is located within the development boundary of Llanfair Dyffryn Clwyd and is shown as a housing allocation in the adopted Denbighshire Local Development Plan.

1.2.2 Llanfair Dyffryn Clwyd is located within the Vale of Clwyd Historic Landscape

1.3 Relevant planning history

1.3.1 The only record of applications on the site is one submitted in 2005 for a residential development. This was never progressed to determination as a consequence of unresolved drainage issues.

1.4 Developments/changes since the original submission

1.4.1 A revised travel plan and details of footpath link at Bron y Clwyd have been provided.

1.5 Other relevant background information

1.5.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 20/2005/0801/PF Erection of 25 dwellings, with associated vehicular and pedestrian access and open space area. Application never progressed to determination as consequence of unresolved drainage issues.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy RD5 – The Welsh language and the social and cultural fabric of communities

Policy BSC 1 – Growth Strategy for Denbighshire

Policy BSC11 – Recreation and open space

Policy BSC12 – Community facilities

Policy VOE1 - Key areas of importance

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

Policy ASA2 – Provision of sustainable transport facilities

Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

Conservation and enhancement of biodiversity

Parking requirements in new developments

Trees and landscaping

3.3 Government Policy / Guidance

Planning Policy Wales Edition 9 January 2016

Technical Advice Note 5: Nature Conservation and Planning (2009)

Technical Advice Note 11: Noise (1997)

Technical Advice Note 18: Transport (2007)

3.2 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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 Visual amenity

4.1.3 Residential amenity

4.1.4 Ecology

4.1.5 Drainage (including flooding)

4.1.6 Highways (including access and parking)

4.1.7 Archaeology

4.2 In relation to the main planning considerations:

4.2.1 Principle

Local Development Plan Policy RD 1 Sustainable development and good standard design supports development within development boundaries provided a range of local impact tests are met.

Policy BSC 12 states that the provision of community facilities will be supported provided they are located within development boundaries.

The site lies within the development boundary of Llanfair DC which is designated as a village in the Local Development Plan. The site is allocated for housing under Policy BSC 1 which raises an 'in principle' issue in relation to the development of a new school.

The application documents state that as no site has been earmarked for a new school during the current plan period within the village the initial search has had to focus on whether the sites within the settlement boundaries could be developed. The land allocated for housing is considered as available potentially for development, and is considered suitable for a school use and has reasonable access arrangements. Therefore overall the sites are considered suitable for development for the purposes of a new school and the applicant would have difficulty justifying why a site outside of the development zone was being selected.

In terms of viability of the site, the preferred site has been earmarked for housing purposes for at least 30 years without housing development occurring. This it is understood is due to infrastructure limitations with the site. During the period of the land search, a planning application has been submitted and determined for housing on the other site within the Local Development Plan. It could be considered unlikely given the relatively small size of the village that two large sites would be progressed concurrently for housing within such a location. The development of the site as a school will quickly bring it into a viable use, it will release the current school site as a potential windfall housing site and may generate more interest in the other currently allocated housing site leading to a quicker uptake of the housing allocation meeting the demand for housing within the County.

In planning policy terms due to the land allocation in the Local Development Plan, the presumption would be in favour of developing the land for the purposes of housing. However, having regard to the identified need for improved school facilities, the location within the development boundary, the potential release of a building and land at the existing school site for development and the imminent housing development on land fronting Wrexham Road for 63 dwellings coming forward (Spring 2018 indicated) it is considered that there are arguments to balance against the conflict with the Development Plan allocation.

Whilst a comprehensive site assessment for a new school has not been submitted, Officers are of the view from knowledge of the surrounding area particularly within the development boundary, that there would be no other suitable alternative sites for a school. As such the overriding need to provide a much needed modern facility for the educational needs of children and contributing towards achieving the Council's priority of modernising the County's schools via the 21st Century Schools programme in this instance outweighs the need to protect the housing allocation of the site.

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.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The visual amenity impacts of a development proposal are a material consideration.

No representations relating to visual amenity impacts have been received other than a general comment that a 'living wall' would be a good addition to the landscaping proposals.

The proposed building would have a maximum height of 7.5m, and measures some 55m by 22m at its widest point. The building would be set back from the road by 13m at the eastern corner adjacent to the access and by 20m at the western corner adjacent to the play areas, games court and habitat area.

The external materials proposed are considered to be sympathetic and in keeping with the location within a rural village. With appropriate hard and soft landscaping it is considered that the new school site would be an appropriate development within the village and its surroundings.

In order to provide the access with visibility splays and a bus layby along the frontage of the site, it is necessary to remove sections of hedge and 2 protected oak trees. This removal is regrettable and would have a negative impact on the visual appearance of the area. However it has to be accepted that a major development on this site will bring about change whether it involves a school or other use, and it is intended to replant hedging and new trees in appropriate locations which will compensate for the loss and soften the visual impact of the development.

In relation to the suggestion that a 'living wall' would be a good addition to the plans, the information submitted outlines the hard and soft landscaping proposals for the site. A 'living wall' is something the school itself may wish to consider in the future however consideration should be given to providing one as part of the landscaping proposals for the site, details of which are suggested as a planning condition with a suitable note to applicant alongside it.

Having regard to the design, siting, scale, massing and materials of the development in relation to the existing site and surroundings, it is considered that the proposals would not have an unacceptable impact on the site and surroundings. It is suggested the application would not have an unacceptable impact on visual amenity and does not conflict with the basis of the policies listed above.

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.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public

interest, towards the goal of sustainability. The residential amenity impacts of a development proposal are a material consideration.

No representations relating to residential amenity impacts have been received.

The proposal is to locate the school building towards the western end of the site with a games court closest to that boundary. The public footpath would continue to run along the western boundary. An acoustic fence and landscaped area are proposed in between the games area and public footpath and therefore it is not considered that there would be any unacceptable impacts on the amenities of the nearby dwelling 'Clover Bank' or nearby properties in the vicinity.

On the eastern part of the site it is proposed to locate a 34 space car park with grassed areas around it and a new hedge along the front and side boundary. It is not considered that there would be any unacceptable impacts on the amenities of the nearby dwelling 'Y Ficerdy' or other properties close to the eastern boundary.

Having regard to the scale, location and design of the proposed development in relation to the existing site and neighbouring properties, it is considered that with the mitigation measures proposed, the proposals would not have an unacceptable impact on residential amenity. The proposals therefore comply with the policies and guidance listed above.

4.2.4 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, TAN 5 and SPG 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 some general comments received over the impact of the development on local wildlife.

Various protected species surveys have been submitted along with mitigation proposals. NRW and the Council's Biodiversity Officer have raised no objections subject to the mitigation being secured by appropriately worded conditions and also the submission of a Biosecurity Risk Assessment.

The proposals are therefore considered acceptable in relation to impact on ecology subject to mitigation measures.

4.2.5 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration.

There have been some concerns raised locally in relation to the impact of the

development on drainage within the village.

The application has been submitted with a drainage strategy.

In relation to surface water, as the site is not formally drained at present it is considered to be 100% permeable. The proposed development would introduce approximately 5,300m² of hardstanding in the form of buildings, hardstanding play areas and parking areas and would therefore result in an increase in surface water runoff rates and volumes. In order to ensure the proposed development will not increase flood risk elsewhere, surface water discharge from the site has to be controlled.

A flow rate of 5 l/s is proposed for this site to ensure the drainage system is self-cleansing and in order to achieve a discharge rate of 5 l/s, attenuation storage will be required.

Options to deal with surface water have been explored, including infiltration tests into the ground (unsuccessful) and discharge to a watercourse (not feasible as it crosses third party land and a highway). A connection to the public sewer system is therefore required and a drainage layout plan with the agreed point of connection has been submitted with the drainage strategy. This involves a 150mm public surface water sewer located approximately 15m north-west of the site within Bron-y-Clwyd, which discharges to the Afon Clwyd. Surface water discharge to this sewer would be limited to a rate of 5 l/s.

Dwr Cymru Welsh Water (DCWW) has raised no objection to the proposed connection. Officers consider that sufficient information has been submitted to demonstrate that surface water can be acceptably managed. The Council's Flood Risk Manager has raised no objection however suggests the use of swales and rainwater harvesting be reviewed as the project progresses.

In relation to foul drainage, it is proposed that foul flows will be discharged to the public combined sewer approximately 75m north-east of the site. A connection point has been agreed in principle with Dwr Cymru Welsh Water (DCWW). In order to discharge to this sewer.?? A pumped connection will be required.

Consultation responses from the main drainage authorities raise no objections to the proposals. NRW have advised that the site lies entirely in Flood Zone A which is considered to be at little or no risk of fluvial or tidal/coastal flooding as defined by Welsh Government's Development Advice Map referred to under TAN15: Development & Flood Risk. NRW's own Flood Map information confirms that the site lies outside of the extreme flood risk outline.

Dwr Cymru Welsh Water (DCWW) has raised no objection to the proposal and confirms a foul water point of connection into the public sewer has been agreed. Officers consider that sufficient information has been submitted to demonstrate that foul water can be acceptably managed.

The proposals are therefore considered acceptable in relation to drainage.

4.2.6 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require consideration of the impact of development on the local highway network. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards.

These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development. Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The highway impacts of a development proposal are a material consideration.

There are representations in relation to the highway elements of the proposal, expressing reservations over the impact of the development and arrangements for pedestrian safety.

The proposal is to form a vehicular access off the highway opposite Bron y Clwyd, leading to a drop off/pick up area, a 34 space car park with cycling storage facilities. Along the frontage of the site a bus layby would be provided to allow a bus to park clear of the highway in front of the school. Within close vicinity of the school, it is intended to provide traffic calming measures, improved walking/cycling facilities, a new bus stop and the required highway signage and road markings. As part of the proposal a footpath link through Bron y Clwyd will be provided, linking to the recently approved housing development (63 dwellings) through which a footpath will be provided linking to a crossing on the A525.

A Transport Assessment and Travel Plan have been submitted with the application to accompany a number of detailed plans appraising the impacts of the proposal.

The Transport Assessment contains detailed assessments of the proposal, existing highway network and projected traffic volumes and impacts. It concludes that the proposed school development would not have a detrimental impact on the highway network, and that the proposed development is in accordance with national and local transport policies, and that there are no transport / highways reasons for refusal of planning permission.

The Travel Plan has been produced for the new school to facilitate the relocation of Ysgol Llanfair DC. Travel plans are the recommended way forward to widen travel choice, to promote more sustainable, cleaner travel modes and to reduce single occupancy car travel. The travel plan sets out the Councils intention to provide a safe route to the proposed new school through Bron y Clwyd and the new housing development fronting Wrexham Road (granted planning permission in October 2017), however acknowledges there are some unknowns regarding the phasing of the proposed development and the risks associated with having a route via the new housing development during the construction stage. Based on this a clear timescale of when the safe route can be provided is unclear.

In the event that the school is opened and this safe walking route (via the proposed housing development) is unavailable, school transport will be granted on a discretionary basis to those pupils affected. This interim arrangement will continue until such time as this new safe walking route is available.

The Highway Officer has provided a comprehensive response on the application as set out in the Consultation Responses section of the report and has had consideration to the submitted plans, Transport Assessment and information contained within the Travel Plan.

In relation to the capacity of the existing highway network, having regard to the scale of the proposed development, the existing highways network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highways network in terms of capacity. The highway improvements, traffic calming measures, widened footways, pedestrian crossing

points, bus parking bay and associated parking restrictions proposed as part of the development are considered acceptable.

In relation to accessibility, pedestrian access will be located from the Bron Y Clwyd where a footway will be created adjacent to the site. The current pedestrian footway on the east of the carriageway will also be extended to improve access. A new pedestrian route will also be provided through the consented housing development adjacent to Wrexham Road which will link into the Bron Y Clwyd housing estate. This will require the cooperation of the housing developer and it is proposed to be delivered once the first phase of the housing development is completed. As there are uncertainties in relation to timescales, in the interim it is proposed to provide school transport to those pupils affected and this arrangement will continue until such time as the new safe link is available for use.

At the relevant stage, the Council would wish to agree detailed issues in relation to the detailing of the safe route (such as boundary treatments, lighting etc) with local residents. It is therefore considered appropriate to impose a planning condition requiring the submission of the details relating to the safe route prior to the commencement of any works to form the safe route.

In relation to site access, layout and parking, the proposed site access arrangements demonstrate compliance with the visibility standards set out in Annex B TAN 18 and are therefore considered to be acceptable.

The proposed site layout including roads, pavements, manoeuvring, lighting etc and parking provision are also considered acceptable and comply with adopted policies and guidance.

The conclusion is that there are no highway grounds to justify refusal of permission. In reaching this conclusion, the Highway Officer has assessed the detailed contents of the application and supporting information and has commented on the capacity of the existing network, access issues into account, and in fully respecting the representations in relation to the application, it is Officers opinion, based on the conclusions of the Highway Officers, that there are no technical highway grounds to justify a refusal. In Officers opinion, the proposal adequately demonstrates that the existing highway infrastructure is capable of accommodating the development, and it includes sufficient improvements and mitigation solutions.

4.2.6 Archaeology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The archaeological impacts of a development proposal are a material consideration.

The application has been submitted with a Geophysical Report. The submitted report indicates the presence of a number of features which were treated by the County Archaeologist and Clwyd Powys Archaeological Trust (CPAT) as representing possible buried archaeological features. No information on dating, function or level of the features was available and therefore it was requested that a pre-determination archaeological evaluation of the site be undertaken.

An archaeological evaluation of the site has been undertaken and a report submitted. From the findings of the report, it is clear that there is very limited archaeological potential at the site and the County Archaeologist and CPAT raise no objection to the proposed development.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The principle of the proposed development is considered acceptable.
- 5.2 All technical aspects of the proposal are considered acceptable with no objections raised by consultees.
- 5.3 The detailing of the proposed school is considered acceptable and would not result in any significant local adverse impacts.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 13th December, 2022
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
 - (i) Elevations as proposed (Drawing No. P_101 Rev. C) received 21 August 2017
 - (ii) Proposed floor layout (Drawing No. P_100 Rev. C) received 21 August 2017
 - (iii) Perspective views (Building) (Drawing No. P-102 Rev. C) received 21 August 2017
 - (iv) Site layout as proposed (Drawing No. P_104 Rev. C) received 21 August 2017
 - (v) Highway location plan received 21 August 2017
 - (vi) Site clearance plan (Drawing No. 15403/D/03A) received 21 August 2017
 - (vii) Road layout plan (Drawing No. 15403/D/04A) received 21 August 2017
 - (viii) Road cross sections (Drawing No. 15403/D/05A) received 21 August 2017
 - (ix) Detailed sections (Drawing No. 15403/D/06A) received 21 August 2017
 - (x) Visibility splay (Drawing No. 15403/D/07B) received 21 August 2017
 - (xi) Road drainage sheet 1 of 2 (Drawing No. 15403/D/08A) received 21 August 2017
 - (xii) Road drainage sheet 2 of 2 (Drawing No. 15403/D/09A) received 21 August 2017
 - (xiii) Line markings and signs (Drawing No. 15403/D/13A) received 21 August 2017
 - (xiv) Location plan received 21 August 2017

Landscaping & Trees

PRE COMMENCEMENT

3. Prior to the commencement of development an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Once approved, development shall only be carried out in accordance with the AMS unless otherwise approved in writing.

The AMS shall include, among other things, the following-

- i) Tree Protection Plan
- ii) A method statement for the installation of car parking within the Root Protection Areas of trees along the southern boundary
- iii) A method statement for the installation of the playground hard surfacing within the RPAs of T3 and T4
- iv) A specification for protective barrier

4. Prior to the development hereby permitted being brought into use a full landscaping scheme shall be submitted and approved in writing by the Local Planning Authority. The development shall be completed in accordance with such approved landscaping details.

5. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.

Protected Species

PRE COMMENCEMENT

6. Prior to the commencement of development, a Biosecurity Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority, and the development shall proceed strictly in accordance with those details approved.

Bats

7. The development shall be carried out in strict accordance with the recommendations set out in Sections 3.1.2 (F), 3.2.3, and 4.2.1 of the Ecological Mitigation, Compensation & Enhancement Method Statement by Udall-Martin Associates Ltd. (Document Reference: 2091034 received on 2nd October, 2017) in respect of bat, mitigation, compensation, and enhancement measures. The development shall include at least two integrated bat boxes, such as those listed in Section 5.2.2 of the aforementioned ecological report (the exact specification to be confirmed prior to commencement of works on site);

Badgers

8. The development shall be carried out in strict accordance with the recommendations set out in Sections 3.1.2 (G), 3.2.2, and 6.1.1 of the Ecological Mitigation, Compensation & Enhancement Method Statement by Udall-Martin Associates Ltd. (Document Reference: 2091034 received on 2nd October, 2017) in respect of badger, avoidance and mitigation measures.

Birds

9. The development shall be carried out in strict accordance with the recommendations set out in Sections 3.2.4, 4.2.4 and 6.2.1 of the Ecological Mitigation, Compensation & Enhancement Method Statement by Udall-Martin Associates Ltd. (Document Reference: 2091034 received on 2nd October, 2017) in respect of bird, mitigation, compensation measures. The development shall include at least four bird nest boxes, such as those listed in Section 5.2.3 of the aforementioned ecological report (the exact specification to be confirmed prior to commencement of works on site);

Invertebrates

10. The development shall be carried out in strict accordance with the recommendations set out in Section 5.2.4 of the Ecological Mitigation, Compensation & Enhancement Method Statement

(Document Reference: 2091034 received on 2nd October, 2017) in respect of invertebrate enhancement measures.

Other Habitat

11. The development shall be carried out in strict accordance with the recommendations set out in Sections 3.1, 4.1, and 5.1, of the Ecological Mitigation, Compensation & Enhancement Method Statement by Udall-Martin Associates Ltd. (Document Reference: 2091034 received on 2nd October, 2017 in respect of onsite habitat mitigation, compensation, and enhancement measures.

Post-development monitoring

12. Post-development monitoring species monitoring shall be undertaken to determine the success of the mitigation and compensation measures, implemented for this development as outlined in Section 7 of the Ecological Mitigation, Compensation & Enhancement Method Statement report (Document Reference: 2091034 received on 2nd October, 2017). This must include annual site visits for years 1 – 5 (post construction) to ensure onsite habitat creation and management are successful, along with bat activity surveys/remote monitoring of boundary hedgerows by bat ecologist (or until such time that the development can be shown to have had no detrimental impact upon bat species using the site).

13. No species listed on schedule 9 of the Wildlife and Countryside Act (1981), as amended, or species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) should be included in the planting scheme for this development.

Pollution Control

14. No external lighting shall be installed on the site or the access road until the written approval of the Local Planning Authority has been obtained to the detailing thereof. The lighting shall be installed in accordance with the details approved under this condition, and shall be retained at all times.

15. If piling is to be used on site in connection with the development, no piling shall commence until the method has been submitted to and approved in writing by the Local Planning Authority. The piling shall be undertaken only in accordance with the approved method.

Highways

PRE COMMENCEMENT

16. No site works, including demolition, shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a Construction Method Statement. The submission shall provide details of:

1. The parking of vehicles of site operatives and visitors;
2. Loading and unloading of plant and materials;
3. Storage of plant and materials used in constructing the development;
4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
5. Wheel washing facilities;
6. Measures to control the emission of dust and dirt during construction;
7. A scheme for recycling/disposing of waste resulting from demolition and construction of works.
8. A route plan for all vehicles connected with the development arriving and leaving the site from existing highway links including delivery times.
9. Hours of site works

The approved Statement shall be strictly adhered to throughout the construction period.

17. In relation to the safe route to be provided on Bron y Clwyd, no works on the safe route shall commence until full details of the route have been submitted to and approved in writing by the Local Planning Authority, details should include details of the surfacing, boundary treatments and lighting. The development shall proceed in accordance with the approved details.

The reason(s) for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To safeguard the retained trees and the amenity they afford
4. In the interest of landscape and visual amenity
5. In the interests of visual amenity
6. In the interest of nature conservation
7. In the interest of nature conservation
8. In the interest of nature conservation
9. In the interest of nature conservation
10. In the interest of nature conservation
11. In the interest of nature conservation
12. In the interest of nature conservation
13. In the interest of nature conservation
14. In the interests of visual amenity
15. In the interests of the amenities of occupiers / users of nearby properties.
16. In the interest of the free and safe movement of traffic on the adjacent highway and in the interests of highway safety and residential amenity
17. In the interests of visual and residential amenity.

NOTES TO APPLICANT:

Notification of Commencement of Development and Display of Site Notice

The Development Management Procedure (Wales) (Amendment) Order 2016 places a duty on you to notify the Local Planning Authority of the commencement of development and to display a notice on site. You must complete and return a 'Notification of initiation of development' form and display a site notice (please find blank forms/notice attached). Further information relating to the requirements is available on the Planning pages at www.denbighshire.gov.uk or www.gov.wales/topics/planning.

In relation to the landscaping details required by Condition 4, it is suggested that consideration be given to the incorporation of a 'living wall' on the front elevation of the school to enhance the visual appearance of the building.

DCC Flood Risk Manager Advisory Note

The submitted drainage strategy uses a hierarchical approach to assessing the suitability of sustainable drainage for the site, which is acceptable. The strategy appears to rule out the use of swales and rainwater harvesting. Mindful of the multiple benefits associated with these methods of surface water use and management, I would recommend that this aspect of the strategy be reviewed during the detailed design of the new school.

Pollution Control

In relation to the carrying out of any site works, including demolition: -

1. Work which is audible beyond the site boundary shall only be carried out between 08:00 hrs to 18:00 hrs Monday to Friday, 08:00 hrs to 13:00 hrs Saturday and not at all on Sundays or Bank Holidays.
2. The quietest available items of plant and machinery shall be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.
3. Deliveries shall only be received within the hours detailed above in (1)
4. Adequate steps shall be taken to prevent dust causing nuisance beyond the site boundary. These could include the use of hoses to damp down stockpiles of materials which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes.
5. There shall be no burning on site.
6. Only minimal security lighting shall be used outside the hours stated above.

NRW Advisory Notes

Protected Species

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Any development that would contravene the protection afforded to bats under the Regulations would require a derogation licence from Natural Resources Wales. A licence may only be authorised if:

- i. There is no satisfactory alternative and
- ii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition,
- iii. the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Building Waste

Any building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 33 and 34 of the Environmental Protection
www.naturalresourceswales.gov.uk www.cyfoethnaturiolcymru.gov.uk

Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Oil Storage

All oil storage facilities must comply with the Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016. These regulations require that fuel tanks should be bunded with the bund capable of holding 110% of the capacity of the tank. The details of what is required is outlined in GPP2 at the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/#collapse2345>

The same bunding protocol should be followed for chemical storage.

Dwr Cymru Welsh Water (DCWW) Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that 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 the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. In relation to capacity to accept sewage flows from the proposed development we would confirm the following:

SEWERAGE 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 service this proposed development. Initial indications are that a connection can be made from the 300mm diameter watermain located in the highway to the North of

the site. The cost of providing new on-site watermains can be calculated upon the receipt of detailed site layout plans.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).