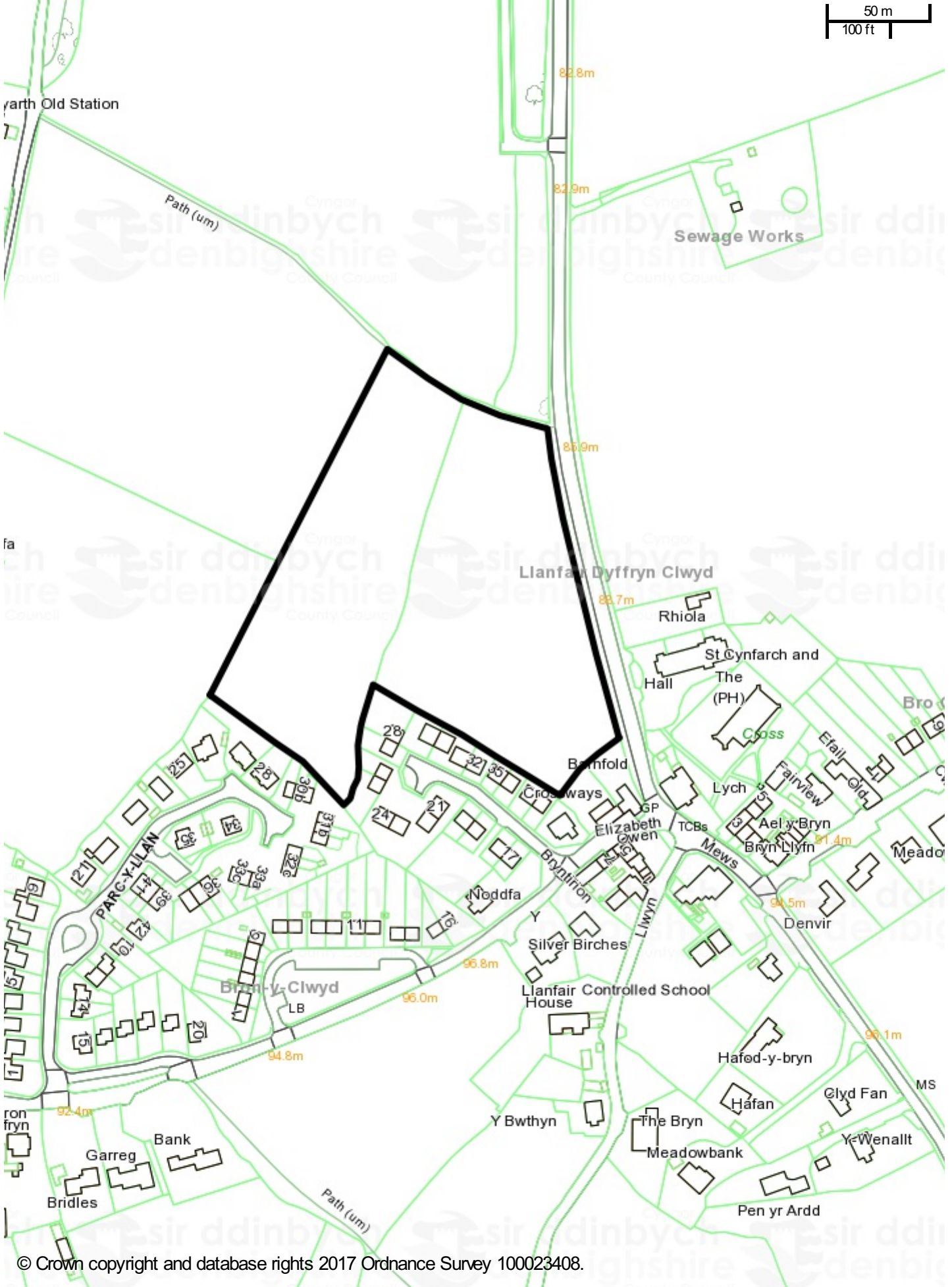


50 m  
100 ft



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20/2017/1068

Scale: 1:2500

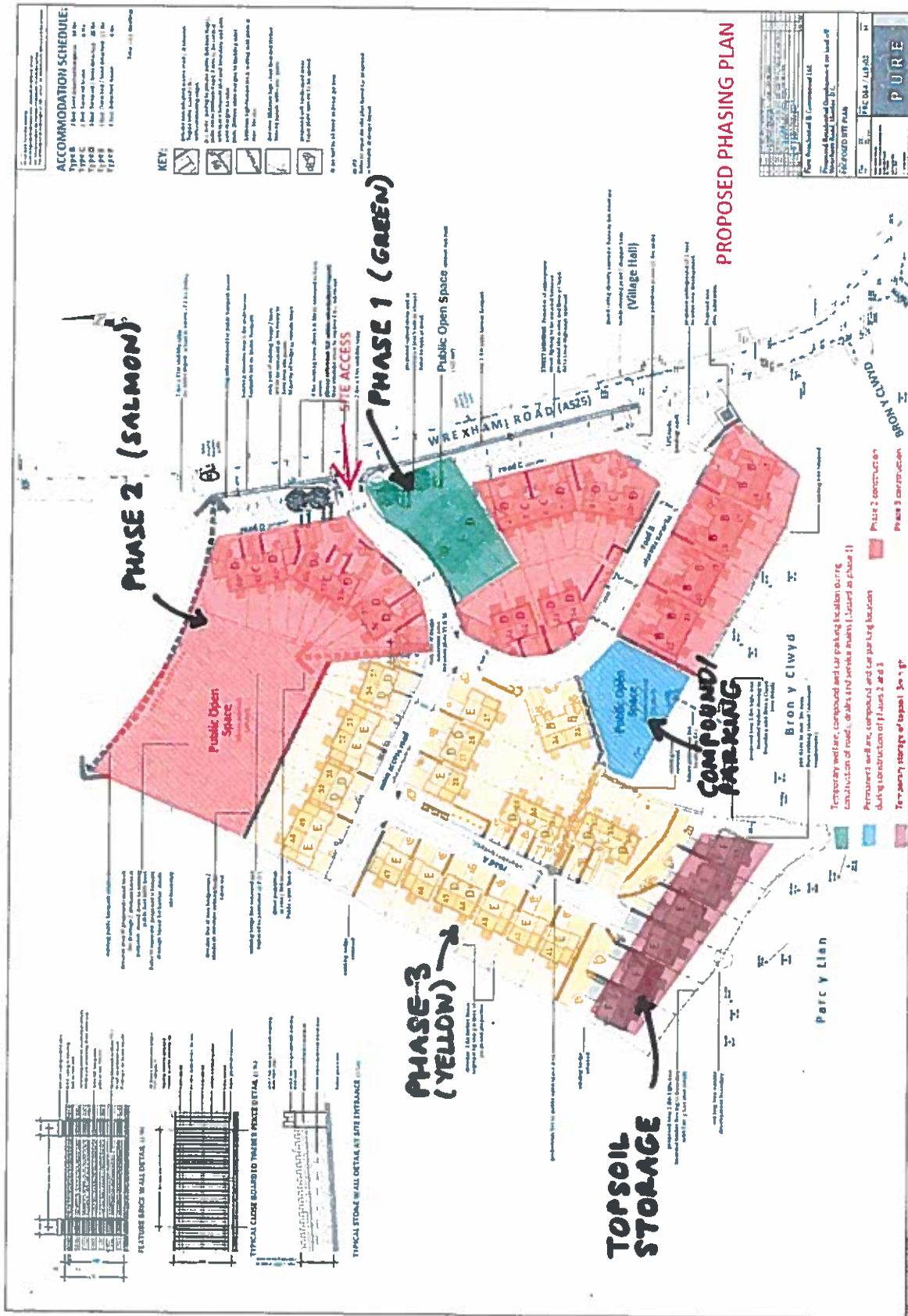
Printed on: 28/12/2017 at 14:23 PM



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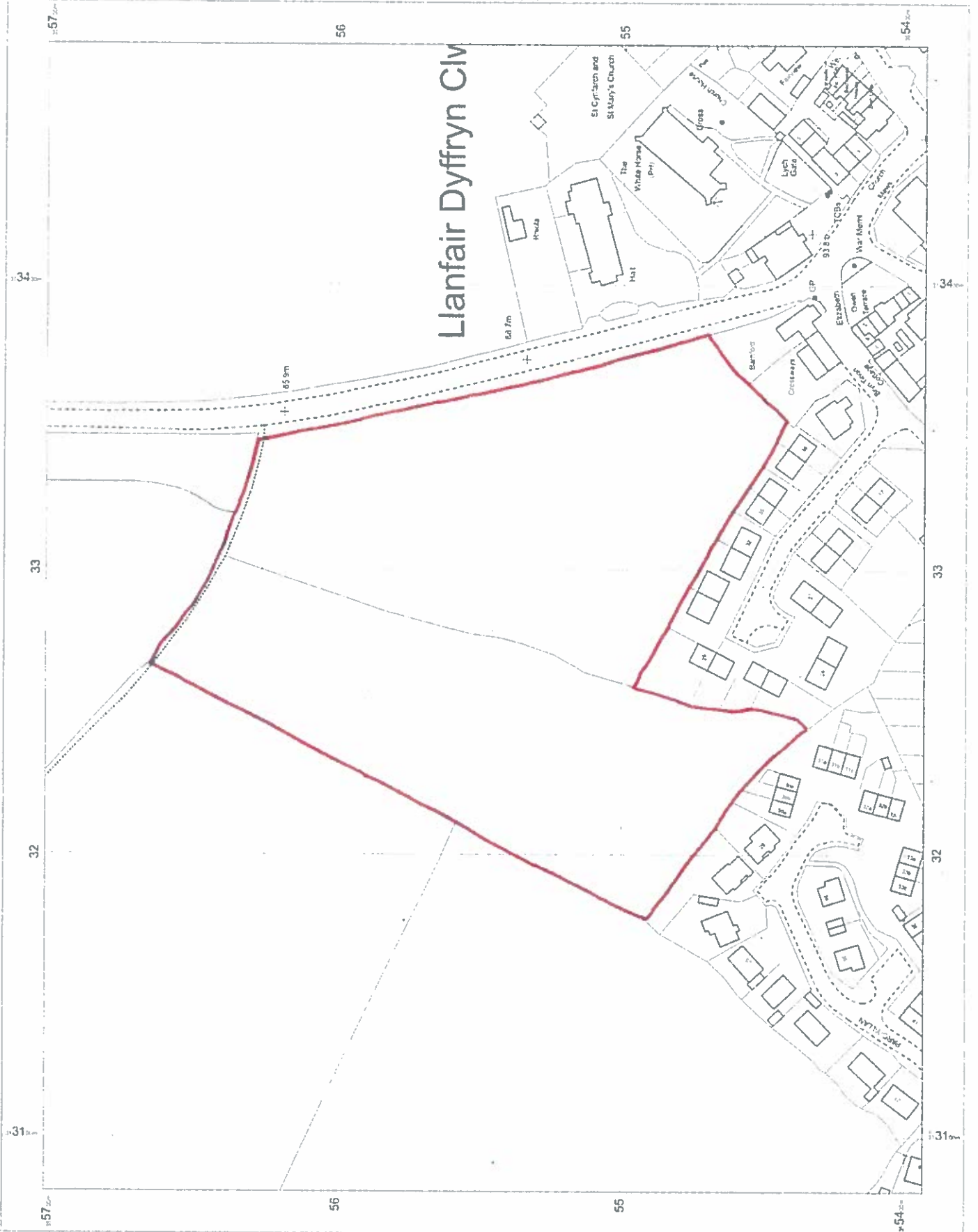
# PHASING PLAN





# SITE BOUNDARY

OS MasterMap 1250/2500:10000  
 scale  
 11 November 2016, 10  
 CU0057562  
 www.cadherashire.co.uk  
 1:1250 scale print at A3, Centre  
 313283 E, 375448 N  
 © Crown Copyright and database  
 rights 2016 OS 100019980







**WARD :** Llanfair Dyffryn Clwyd / Gwyddelwern

**WARD MEMBER(S):** Cllr Huw Williams

**APPLICATION NO:** 20/2017/1068/ AC

**PROPOSAL:** Details of phasing plan submitted in accordance with condition no 3 of planning permission code no. 20/2016/1137

**LOCATION:** Land West of Wrexham Road Llanfair Dyffryn Clwyd Ruthin

**APPLICANT:** MrGoronwy OwenPure Residential And Commercial Ltd.

**CONSTRAINTS:** Tree Preservation Order  
PROW

**PUBLICITY UNDERTAKEN:** Site Notice - No  
Press Notice - No  
Neighbour letters - No

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

- Member request for referral to Committee

**CONSULTATION RESPONSES:**

**LLANFAIR DYFFRYN CLWYD COMMUNITY COUNCIL**

“Members expressed concern that there was no timetable and firm date for commencement of work on the site, and whether work will be carried out over seven or five days in a week. The Council is also seeking an assurance that the A525 highway will be kept clean during this period. Members would appreciate notification/confirmation about the timetable as soon as possible please.”

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure

- Highways Officer  
No objection

**RESPONSE TO PUBLICITY:**

N/A

**EXPIRY DATE OF APPLICATION: 17/01/2018**

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 This application seeks discharge of a condition imposed on planning permission ref 20/2016/1137 which relates to the phasing of the development of 63 dwellings on land off Wrexham Road in Llanfair Dyffryn Clwyd.
- 1.1.2 Members resolved to grant planning permission for the residential development at Planning Committee in June 2017. The full planning permission was subsequently

issued in October 2017 on completion of a legal agreement which secured the provision of affordable housing and also a commuted sum payment towards the provision of affordable housing. Members requested the phasing details be reported for consideration by the Committee.

- 1.1.3 Condition 3 of the planning permission required submission and approval of a phasing plan for the development. It was worded as follows:

*“No development shall be permitted to commence on the construction of the dwellings until a phasing plan has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with such details.”*

*The reason for the condition was: “To enable the Local Planning Authority to control the level of development in the area.”*

- 1.1.4 The submission contains the phasing plan below (a full size copy provided at the front of this report) along with a statement which sets out how the development of the site will be phased:



The details within the submission are outlined below:

**Phase 1:**

Within this phase a temporary welfare, compound and car park will be set up in the location shown above in **green**.

Phase 1 works include the formation of the access road in the site from Wrexham Road along with the essential infrastructure works required to service the site. This includes a new drainage scheme including diversions and attenuated storage facility, new water mains, new power supplies including diversion of overhead cables, a new substation, installation of underground LPG gas tanks and distribution pipework and the installation of BT network.



**Phase 2:**

Within this phase the welfare, compound and car park will be moved to the location shown above in **blue**.

Phase 2 works are indicated above in **red** and consist of constructing the dwellings at plots 1 to 22 and plots 56 to 63, a total of 30 dwellings.

Plots 4,5,6, 7 and 22 are affordable housing units and will be completed and available within this phase. These units are 2 and 3 bed houses with plot 22 being a 2 bed bungalow..

The large area of open space to the north of the site will be also be completed (details yet to be agreed).

The link footpath to Bron y Clwyd will be made available for public use at completion of this phase.

**Phase 3:**

The welfare, compound and car park will remain at the location shown in **blue** above.

Phase 3 works are indicated above in **yellow** and consist of constructing the remaining 33 dwellings at plots 23 to 55.

Plot 23 is an affordable housing unit and will be completed and available within this phase. This units is a 2 bed bungalow.

Upon completion of the construction works, the remaining area of open space shown in **blue** to the south of the site be completed (details yet to be agreed).

Off- site highway works which includes a crossing and relocation of speed restrictions will be completed before the 1<sup>st</sup> property is occupied. The remainder of the estate roads and services will be installed as the next phase of the development is being progressed and built out.

**1.2 Description of site and surroundings**

- 1.2.1 The application site is comprised of 2 field parcels extending to 2.6 hectares of agricultural land. It is located on the edge of the village of Llanfair Dyffryn Clwyd, to the west of the A525 Ruthin - Wrexham Road, which runs through the village.
- 1.2.2 With the exception of a field gate to the northern end of the site, there is no current vehicular access to the site.
- 1.2.3 Most of the other site boundaries are formed by long established hedgerows with some trees. Along the site frontage with Wrexham Road there is hedgerow with a linear group of mature trees.
- 1.2.4 Land levels fall generally down from south to north, and rise from west to east, the highest part of the site being the far south eastern corner of the site adjacent to the property 'Barnfold'.
- 1.2.5 To the north of the site is a public footpath and ditch running along the entire northern boundary with a woodland and open countryside beyond; to the eastern boundary of the site is Wrexham Road; to the south are existing residential properties within the centre of the village, and existing housing estates/streets of Bron y Clwyd and Parc y Llan; to the western boundary is open agricultural land which slopes down away from the site.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Llanfair Dyffryn Clwyd and is allocated for housing and open space in the adopted Denbighshire Local Development Plan.

1.3.2 Llanfair Dyffryn Clwyd is located within the Vale of Clwyd Historic Landscape.

1.4 Relevant planning history

1.4.1 Full planning permission was granted for the erection of 63 dwellings in October 2017.

1.5 Developments/changes since the original submission

1.5.1 None

1.6 Other relevant background information

1.6.1 The considerations to be given to the application for approval of condition 3 have to relate solely to the matters which are relevant to the phasing of the development. The application is not an opportunity to reconsider or challenge the principles of developing the land or other detailing of the housing scheme.

**2. DETAILS OF PLANNING HISTORY:**

2.1 20/2016/1137/PF Erection of 63 dwellings with formation of new vehicular access and associated works. GRANTED 23<sup>rd</sup> October, 2017 upon completion of the legal agreement.

**3. RELEVANT POLICIES AND GUIDANCE:**

3.1 The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD1** – Sustainable development and good standard design

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

**Policy BSC1** – Growth Strategy for Denbighshire

**Policy BSC3** – Securing infrastructure contributions from Development

**Policy BSC4** – Affordable Housing

**Policy BSC10** – Gypsy and traveller sites

**Policy BSC11** – Recreation and open space

**Policy VOE1** - Key areas of importance

**Policy VOE5** – Conservation of natural resources

**Policy VOE6** – Water management

**Policy ASA3** – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance: Recreational Public Open Space

Supplementary Planning Guidance: Access for All

Supplementary Planning Guidance: Planning Obligations

Supplementary Planning Guidance: Affordable Housing in New Developments

3.2 Government Policy / Guidance

TAN 1 Joint Housing Land Availability Studies

TAN 2 Planning and Affordable Housing

TAN 5 Nature Conservation and Planning

TAN 12 Design

TAN 18 Transport

TAN 20 The Welsh language

WGC 16/2014 The Use of Planning Conditions for Development Management

#### 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 for approval of are considered to be:

- 4.1.1 Highway Considerations
- 4.1.2 Delivery of affordable housing
- 4.1.3 Delivery of open space
- 4.1.4 Visual amenity Impact
- 4.1.5 Residential amenity Impact

4.2 In relation to the main planning considerations :

- 4.2.1 Highway Considerations  
Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network. Policy ASA 2 requires consideration of the need for measures to improve public transport, walking or cycling infrastructure in connection with a development. 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.

The approved scheme is for a single vehicular access point off Wrexham Road with a new pedestrian link to the existing right of way to the north of the site. A new pedestrian link between the new vehicular access into the development and the new pedestrian access point to the south of the development boundary will also be provided. A pedestrian link has been identified which will provide a direct route for pedestrians between the new residential development and the existing Bron Y Clwyd estate linking through to the new school in the village. A pedestrian crossing point located at the southerly access point will provide pedestrians with a means of crossing the A525. The existing 30mph speed limit and associated street lighting will be moved further out of the village to the north, specific details of which will be agreed with the Council's Traffic Section.

The proposed Phase 1 works include the formation of the access road in the site from Wrexham Road along with the essential infrastructure works required to service the site. A Section 38 Highway agreement is required.

Highways Officers have raised no objection to the proposed phasing plan and the

phasing of the development works in respect of highway matters is considered acceptable.

#### 4.2.2 Delivery of affordable housing

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

A legal agreement has been completed and confirms the provision of 6 affordable housing units on site, plots 4,5,6,7, 22 and 23 which provides 2 and 3 bed houses and bungalows. 5 of the 6 units will be provided within Phase 1, and the final unit in Phase 2.

The Council's Housing Strategy Officer was involved in the drafting of the legal agreement and is satisfied with the affordable housing arrangements in terms of its phasing within the development.

#### 4.2.3 Delivery of open space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum. Commuted sums in lieu of open space will only be accepted where the full requirement for open space would mean that the proposed development was financially unviable or it is impractical to provide the full requirement for open space on site.

The development scheme has 2 main areas of open space on the site. One area is located to the northern end of the site and has the public footpath running along its boundary. This area of open space will be completed as part of phase 2. The second area is to the southern end of the site adjoining 28/29 Bron y Clwyd, which will be the site welfare compound and car park area during phase 2 and 3 works and will be completed as open space once the construction works have been fully completed.

#### 4.2.4 Visual amenity Impact

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.

It is not considered that there are any visual amenity concerns in relation to the phasing and site set up proposed.

#### 4.2.5 Residential amenity Impact

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.

Concerns were raised during debate at the Planning Committee meeting in June 2017 in relation to the impact of the development, primarily during construction works, on the elderly residents living in the dwellings on Bron y Clwyd.

The phasing plan proposes to construct the bungalows that back on to Bron y Clwyd within Phase 1 and the developer expects that the interest in these dwellings will be high, as they are primarily 2 and 3 bed properties ideal as 'starter' homes. It is not expected that there would be a prolonged period of construction works to be taking place to the rear of Bron y Clwyd and in relation to the site welfare, compound and car park in the blue area, the Construction Management Plan (submitted separately) will ensure the amenity of existing residents is protected during construction works.

#### Community Council comments

The Community Council have expressed concern that there is no timetable and firm date for commencement of work on the site, and whether work will be carried out over seven or five days in a week.

In relation to the timetable and commencement date, with respect, it is not reasonable for the Local Planning Authority to request this information within a phasing condition. In accordance with the Development Management Procedure Order 2016 the developer is required to formally notify the Local Planning Authority of its intention to start on site and also place a notice on site providing an intended start date.

The hours it is intended to work on site is not a matter covered by this condition, which seeks approval of the phasing of development. A number of planning conditions are attached to the planning permission and include a Construction Method Statement, and amongst many other details the hours of operation are provided within this Statement. At the time of writing this report, the Construction Method Statement has not been approved and elements of the statement are under discussion with the developer in liaison with the Council's Pollution Control Officer.

The Community Council also seeks assurance that the A525 highway will be kept clean during this period. This is a matter for the separate Construction Method Statement which sets out all managements issues such as this.

#### 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 phasing details are considered acceptable and it is recommended the condition be approved.

**RECOMMENDATION: APPROVE-** subject to the following conditions:-

1. 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 the permission  
(i) Phasing Details received 21 November 2017

- (ii) Phasing Plan received 3 November 2017
- (iii) Location Plan received 3 November 2017

The reason for the condition is :-

1. For the avoidance of doubt and to ensure a satisfactory standard of development.

**NOTES TO APPLICANT:**

None