



COLOMENDY APPLICATION

RELATIONSHIP BETWEEN PLOTS

- KEY**
- Category 1
 - Category 2
 - Category 3
 - Category 4
 - Category 5
 - Category 6
 - Category 7
 - Category 8
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 - Category 99
 - Category 100

Special precautions must be taken within RPAs of trees (Calculated as 12 x dbh).
 Note: Veteran trees to be protected by a larger RPA (15 x dbh) (As recommended by The Joint Forum).
 No excavations within RPAs, unless hand-dig only, or soil excavation with a 100mm diameter.
 Cellular containment system (e.g. Calveo) could be used to create a 'wood' base for plant roots.
 Pile foundations could be used, with linings bridging over large diameter roots.

H3/18304/D/131A		H3/18304/D/131A	
PENNARH PRIFYRDD A GWASANAETHAU AMGYLCHEDDOL HEAD OF HIGHWAYS AND ENVIRONMENTAL SERVICES ADARAN PRIFYRDD A GWASANAETHAU AMGYLCHEDDOL DEPARTMENT OF HIGHWAYS AND ENVIRONMENTAL SERVICES		COUNCIL DENBIGHSHIRE COUNTY COUNCIL	
18304		18304	
NTS		NTS	
SJO565		SJO565	
RT		RT	
EP		EP	
Original Drawing		Original Drawing	
24/01/20		24/01/20	
ISSUE		ISSUE	
WASTE RE-ORGANIS		WASTE RE-ORGANIS	
TREE SURVEY & PROPOSED SITE LAYOUT		TREE SURVEY & PROPOSED SITE LAYOUT	

Tree Specification

Abv & Common Name	Scientific Name	Root	Form	Height	Girth	No.
FM - Field Maple	Acer campestre	Bare Root	HS	3-4m	14-16	31
FS - Field Maple Street wise	Acer campestre 'Street wise'	Root Ball	HS	3-4m	14-16	35
DB - Downy Birch	Betula pubescens	Bare Root	HS	3-4m	14-16	5
SB - Silver Birch	Betula Pendula	Bare Root	HS	3-4m	14-16	47
HA - Hawthorn	Crataegus monogyna	Bare Root	Feathered	3-4m	14-16	14
CL - Leylandii	Cupressocyparis leylandii	Root Ball	Feathered	2-3m	RB-250cm	9
CP - Corsican Pine	Pinus nigra	Container	Feathered	2-3m	100L Pot	3
BP - Black Poplar	Populus nigra	Bare Root	HS	3-4m	14-16	4
SO - Sessile Oak	Quercus petraea	Bare Root	HS	4-4.5m	16-18	5
CO - Common Oak	Quercus robur	Bare Root	HS	3-4m	14-16	35
SC - Goat Willow	Salix caprea	Bare Root	Feathered	3-4m	14-16	6
SI - Grey Willow	Salix cinerea	Bare Root	Feathered	3-4m	14-16	1
SV - Osier Willow	Salix viminalis	Bare Root	Feathered	3-4m	14-16	1
MA - Mountain Ash	Sorbus aucuparia	Bare Root	HS	3-4m	14-16	17

Hedge Mix Specification

Abv & Common Name	Scientific Name	Root	Height	Percentage	No.
FM - Field Maple	Acer campestre	BR Whip	60-90cm	10%	Varies
Dogwood	Cornus sanguinea	Pot 5 ltr	-----	5%	Varies
Hawthorn	Crataegus monogyna	BR Whip	60-90cm	60%	Varies
Holly	Ilex aquifolium	BR Whip	60-90cm	15%	Varies
Dog Rose	Rosa canina	BR Whip	60-90cm	5%	Varies
Guellder Rose	Viburnum opulus	Pot 5 ltr	-----	5%	Varies

New area planting 200mm, New hedge 100 bear metres, existing enhanced hedge improved with hedge mix, numbers vary pending condition shoots. Existing improved hedge planting no. vary

Key

- Existing Tree
- Tree Removed
- Proposed Tree
- Meadow grassland mix
- Proposed shrub mix
- Proposed woodland seed/shrub mix
- Enhanced existing woodland
- Arbiculturalist to advise
- Area planted hedge mix (Non linear)
- Proposed beach hedge
- Proposed mixed hedge
- Enhanced existing hedge, using mixed
- Hedge planting mix. Numbers vary
- Ivy planted to base of retaining structure
- see engineers drawings for details

Sheet 1

Notes of specification:
These drawings are study for planning purposes. Do not build from using these drawings. Consult a qualified engineer to ensure any building structures and tree locations are fit for purpose. The site has underground services, retaining structures, vehicle access and parking areas. All work should be completed in relation to proposed planting by a qualified engineer.



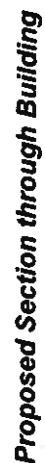
Rev	Date	By	Notes
C	14-02-20	RC	Amended ponds, and species
B	21-11-19	RC	Ponds Added
A	15-10-19	RC	Various



www.design-by-mh.co.uk
Designed By MH Richard Cowley 07791587157
richdesigner@hotmail.com

PLOT 1 LAYOUT

Job: Land Adjacent to Colom Industrial Estate
Drawing Title: Landscape Proposals
Sheet 1 of 3
Scale: 1:500@A1
Drawn by: RC
Date: 02-10-2019
Revision: C
Drawing No: MH-057-LP-01



A	Reviewed to suit DGC requirements	By	16	09/12/10
Rev	Modification	By	17	09/12/10



EWP
Estate Warranted Partnership
Limited Liability Company
Telephone: 01667 532771
Email: info@ewp.co.uk



sir ddinbych denbighshire
Council
Telephone: 01667 532771
Email: info@ewp.co.uk

Proposed Wyeat Re-Organisation
Wyeat Re-Organisation
Denbigh

Planning
Main Depot Building
External Elevations & Typical Section

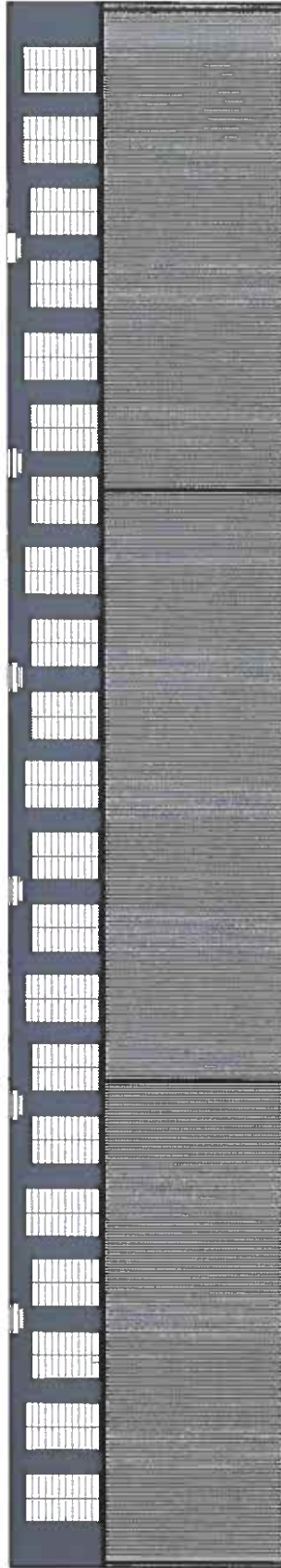
Planning
Main Depot Building
External Elevations & Typical Section

Planning
Main Depot Building
External Elevations & Typical Section

Planning
Main Depot Building
External Elevations & Typical Section

Planning
Main Depot Building
External Elevations & Typical Section

Planning
Main Depot Building
External Elevations & Typical Section

**Proposed North Elevation****Proposed South Elevation**

- Anthracite (RAL7016)**
Corners, Trim, Outlets, Downspouts
- Merlin Grey (1085-26)**
External Doors and Frames
Roof Cladding
- Concealing Grey (1065-16)**
Roof Cladding

MAIN DEPOT BUILDING

A	Place	Modification	By	Time	App	Date
	Revised to suit DOE requirements					28/12/19



EWP

EWASTE WASTE
FABRICATION
SOLUTIONS

Unit 13/14, Crown Point, 1 Lymington Road
Unit 13/14, Crown Point, 1 Lymington Road
Parsippany, NJ 07054-1400
Telephone: 973-222-1234
Email: info@ewpsolutions.com

Proposed Waste Re-Organisation
Colombury Industrial Estate
Derby



sir dlinbych denbighshire

Proposed Waste Re-Organisation
Main Depot Building
External Elevations
Derby

Planning

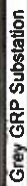
11/01/2020

Planning

11/01/2020

Planning

11/01/2020



WARNING/INFORMATION NOTICES
DANGER SIGN, CONTACT NUMBER
AND SF6 EQUIPMENT WITHIN



VENTILATION TO BE PROVIDED
TOP & BOTTOM OF UNIT
EACH TO BE 0.75sqm MIN.
FITTED INTERNALLY WITH U.S.
ANTI VERMIN MESH

Proposed 2 No.	GRP Substations
1	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1
11	1
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100	1

Proposed 2 No.
GRP Substations

KEY

DCC Easement

Pond



Concrete base to be cast for both substations	Second substation to be installed at a later date
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Concrete base to be cast for both substations

SCALE 1:1000

SCALE 1:100

18304

sir ddinbych
denbighshire

WASTE RE-ORGANISATION

**PENNAETH PRIFYDD A GWASANAETHAU ANGYLCHEDDOL
HEAD OF HIGHWAYS AND ENVIRONMENTAL SERVICES
ADELAN PRIFYDD A GWASANAETHAU ANGYLCHEDDOL
DEPARTMENT OF HIGHWAYS AND ENVIRONMENTAL SERVICES**

PROPOSED SUBSTATIONS

ENSSI

12/02/20

H3/18304/D/830

H3/18304/D/83D

WARD : Denbigh Lower

WARD MEMBERS: Councillors Rhys Thomas and Mark Young (c)

APPLICATION NO: 01/2019/1011/ PF

PROPOSAL: Construction of a Local Authority Waste Transfer Station to undertake the sorting and baling of separately collected recyclable waste; to include the erection of the main recycling building, one depot building and storage bays; installation of vehicle wash and weighbridge, siting of generator, creation of new access and associated road widening, construction of internal road, service yard, storage areas, parking, drainage and substations (To serve plots 1-5), landscaping and associated works

LOCATION: Plot 1 Land Adjacent to Colomendy Industrial Estate, Denbigh

APPLICANT: Head of Highways, Facilities and Environmental Service, Denbighshire County Council

CONSTRAINTS: None

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

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Application submitted by the Head of Highways, Facilities and Environmental Services, Denbighshire County Council

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL:

"No objections were raised, however the Town Councillors felt strongly that automatic roller doors should be installed and not manual doors. This would alleviate the risk of excess odour coming from the waste transfer station as well as reducing the risk of the doors being left open by staff.

Also, could the food waste be taken directly to the bio plant on the Rhualt thus reducing the risk of excess odour at the waste transfer station? In the details received food waste would be taken directly to the bio plant if the storage facility at Denbigh was full, why not take all the waste there directly.

Clarification is also required regarding the planting of new hedgerow and trees. No definitive date is stated. The Town Councillors would like an update of completion of the planting."

NATURAL RESOURCES WALES

Refer to need for Great Crested Newt mitigation and management, and recommend planning permission should only be granted with the inclusion of a condition to list the approved Amphibian Conservation Plan (comprising the Ecological Impact Assessments, Outline Great Crested Newt Strategy, Long-term habitat management plan, monitoring/surveillance, wardening, compliance audit and biodiversity risk assessment and the bat and bird box location

plan within the associated approved plans and documents which includes mitigation and compensation measures including plans during and post construction.

As a commuted sum is required for off-site and on-site amphibian mitigation and habitat creation, and the implementation of an amphibian conservation management plan for a 25 year period, a section 106 agreement would be required.

NRW consider that the survey and assessment in respect to bats and dormouse are satisfactory, and that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of any local populations of bats and dormouse.

DWR CYMRU / WELSH WATER

Confirm foul flows from the proposed development can be accommodated within the public sewerage system. The method of disposal for surface water flows will require approval by the determining SuDS Approval Body (SAB). A Hydraulic Modelling Assessment would be required of the potable water supply network to ensure the development is served by an adequate water supply. Request conditions and advisory notes be added to any permission in relation to preventing hydraulic overloading of the public sewerage system and a potable water scheme to serve the site.

CLWYD POWYS ARCHAEOLOGICAL TRUST (CPAT)

No objections subject to the inclusion of a condition to require the approved watching brief to be implemented and resulting report submitted.

SP ENERGY NETWORKS

No objections are raised provided an informative is included in the decision notice in relation to diverting the existing 33kV overhead line and connecting new demand.

WALES AND WEST UTILITIES

A high pressure gas main runs through the site however, no built development is proposed over the easement.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection subject to the imposition of a condition to require the submission of a construction Method Statement.

Public Protection Officer

No objection to the proposal subject to conditions relating to air quality, odour, noise, lighting and details submitted regarding the installation of the ground/air sourced heat pump proposed.

County Ecologist

Has no objection to the proposal subject to conditions in relation to the landscaping, ecological mitigation and lighting details to ensure there would be no harm to European Protected Species.

Flood Risk Engineer

Notes the development exceeds 100 square metres therefore the applicant will require SAB approval.

Tree Specialist

No objection subject to conditions requiring an Arboricultural Method Statement to safeguard trees during the development phase and the installation for the re-routed electrical cables. A condition should also require on-site arboricultural supervision during the development including when the drainage is installed.

Landscape Officer

Has no objection to the proposal, subject to the landscaping plans being conditioned, and implemented as approved.

RESPONSE TO PUBLICITY:

None received

EXPIRY DATE OF APPLICATION: 10/02/2020

EXTENSION OF TIME AGREED: 25/03/2020

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- awaiting consideration by Committee
- drafting of Section 106 legal agreement

PLANNING ASSESSMENT:**1. THE PROPOSAL:****1.1 Summary of proposals**

1.1.1 The proposal is to develop a new single central waste depot facility on land adjacent to the Colomendy Industrial Estate in Denbigh referred to as Plot 1.

1.1.2 The proposal includes:

- a building suitable for sorting, bulking and bailing of household waste streams in support of the 'new collection model' with waste being hauled off site daily. The proposed main waste transfer station building would measure 65.2m x 42.4m. It would have a pitched roof with a ridge height of 11.4m and eaves height of 7.7m.
- a Highway Depot building measuring 20m x 20m metres with a pitched roof with a ridge height of 8m and eaves height of 6m.
- a new main vehicular access off Graig Road, with associated road widening
- hard standing/ parking for the waste vehicle fleet,
- staff car parking,
- a vehicle fuelling point and vehicle wash,
- staff accommodation for use by waste operative teams and supervisors.

1.1.3 Part of the site would be used for the bulking and storage of highways waste (road sweepings/gully waste) and green garden waste within a separate open-sided building prior to onward disposal.

It is stressed that the site would not be used to treat waste, only for bulking of materials prior to removal off site and recycling or disposal off site.

1.1.4 The proposal would allow for the remodelling of the way Denbighshire County Council (DCC) collects household waste, moving to the recommended Welsh Government Blueprint based on Kerbside Sort (KSS) Weekly Recycling Collection alongside further restrictions to residual capacity supported by a number of ancillary services such as opt in weekly Absorbent Hygiene Products (AHP) collections, fortnightly textiles & small waste electrical and electronic items (WEEE) alongside continuation of existing food waste and garden waste services.

1.1.5 The processes involved within the proposed development are as follows:

- Residual waste would be delivered to the site in RCVs (Refuse Collection Vehicles). The residual waste would be tipped directly into one of the designated bays. The

residual waste would then be loaded into Walking Floor trailers for onward transfer to Parc Adfer EFW Facility in Deeside, Flintshire for energy recovery.

- Kerbside sort recycling would be delivered to site in Recycling Recovery Vehicles (RRV's) and would be tipped into the designated reception bays with each waste stream being kept separate during tipping.
- Green waste would be delivered to site either in RCV's or 3.5 tonne pickup vehicles and would be tipped directly into the designated bays for onward transfer to Flintshire County Council's Open Windrow Composting Facility at Greenfield, Flintshire.
- Highways waste would be tipped directly into the designated reception bays for onward bulk transport to either HM&BP Parry, Pwllheli (sweeping and gully arisings) or KM Environmental, St Asaph (highways and siding waste).
- AHP waste (bagged) would be delivered to the site and tipped into the designated bay. Within one hour of tipping, AHP waste would be moved via loading shovel into a sealed skip. Within 72 hours the skip would be transferred from site and sent for onward reprocessing.
- Food waste would be delivered to site within removable food pods within sealed skips stored within the building and removal off site every 24 hours.
- Contingency measures - During emergency situations/operational pressures on site, there is an additional covered bay which could be used to store baled waste materials. In the event these bays are utilised, a fork-lift truck with bale clamps would be used to transport bales from the building. There is also a spare external bay which could be used for short term storage

1.1.6 The submission explains that to support this change to the proposed collection model are the purchase of new kerbside sorting Waste Collection Vehicles and Containers. In addition, depot facilities need to be expanded and updated to enable for suitable bulking, sorting and bailing of separately collected recyclable waste streams. It is anticipated that this facility would process up to 75,000 tonnes per annum of waste. However, approximately 55,000 tonnes per annum would be classified as household waste, with the remaining capacity of up to 20,000 tonnes per annum of trade waste collections.

1.1.7 The proposed method of collection and processing highways waste would ensure compliance with current legislation. The new depot would also enable the closure and decommissioning of existing substandard facilities. To support this change, a collaborative approach with adjacent counties is being proposed. Skips and covered bays would be required together with the installation of a silt buster, which would be used to process the waste and allow for it to be recycled.

1.1.8 The proposal also includes the construction of a new purpose-built access and junction into the site providing a ghost island right turn facility and widened carriageway to the junction with Llwyn Goch. A new footway/cycleway would also be provided along the eastern side of Ffordd y Graig/Graig Road to connect existing facilities.

1.2 Other relevant information/supporting documents in the application

1.2.1 This planning application relates to the proposed development of Plot 1 of a wider five plot development site, applications relating to which have been submitted separately and are the subject of the following reports on the agenda. Officers are considering these as a linked project. The wider development of the five whole plots (8.25ha) is proposed on allocated land adjacent to the Colomendy Industrial Estate in Denbigh, as will be seen from the plans at the front of the report.

1.2.2 In order to provide context of the wider development, a summary is provided below:

- **Plot 1 – Denbighshire County Council** (2.36ha) Construction of a single central Local Authority waste transfer station to undertake sorting and bailing of separately collected recyclable waste streams. This includes a 2,700m² building.
- **Plot 2 – Yard Space Wales Ltd** (2.02ha) Hybrid application for the erection of 31 units (for B1, B2 and B8 uses), internal access road, car parking and servicing areas, external storage/ loading areas, and connection into the joint surface water and foul systems. The development would be brought forward in phases, the first phase which would be applied for in full detail consists of 1,116m² and the remainder of 4,296m² in outline. This is 5,412m² total floor space within the 31 units.
- **Plot 3 – Henllan Bread** (0.9ha) Full application for the erection of 1,585m² unit extension (for B1, B2 and B8 uses), internal access road, car parking and servicing areas, external storage/ loading areas, and connection into the joint surface water and foul systems.
- **Plot 4 – Lock Stock** (1ha) Full application for the erection of 11 units (for B1, B2 and B8 uses), and change of use of land for the siting of 239 storage containers, access road, car parking and servicing areas, external storage/ loading areas, and connection into the joint surface water and foul systems. The development proposes 1,275m² total floor space within the 11 units.
- **Plot 5 – Emyr Evans** (1.87ha) Hybrid application for the erection of 22 units (for B1, B2 and B8 uses), internal access road, car parking and servicing areas, external storage/loading areas, and connection into the joint surface water and foul systems. The development would be brought forward in phases, the first phase which would be applied for in full consists of 1,486m² and the remainder of 3,695m² in outline. This is 5,181m² total floor space within the 22 units.

1.2.3 As the proposed development at the application site forms part of a wider development (Plots 1-5), which is being brought forward as a consortium, there are aspects of the site works which will serve the wider site. These include:

- Foul Drainage
- Surface Water Drainage system
- Landscaping areas/ biodiversity enhancement areas and associated section 106 agreement for great crested newt mitigation
- Four prefabricated electric sub-stations

1.2.4 The application is accompanied by a number of technical documents to support the application. These include:-

- Pre-Application Consultation Report – 2019.0107
- Economic Impact Assessment 2019.107 – Dated October 2019
- Welsh Language Statement 2019.107 – Dated November 2019
- Transport Assessment 662566 – Dated October 2019
- Travel Plan 662566 – Dated October 2019
- Planning Acoustic Report – Revision 3 Dated 21/11/2019
- Air Quality Assessment – Revision 2 Dated 21/10/2019
- Tree Condition Survey 082019/TCS/HESCIE
- Drainage Strategy – November 2019
- North-East Ecological Impact Assessment – Updated 24/09/2019
- Long-Term Habitat Management Plan, Monitoring/Surveillance, Wardening, Compliance Audit and Biodiversity Risk Assessment – Prepared 25/11/2019
- Geotechnical Report V.01 – Dated March 2019
- Outline Great Crested Newt Mitigation Strategy – Dated 25/11/2019

- Landscape and Visual Impact Assessment – MH-057 Rev-02
- Product Specification – Roof Extractor Unit
- Product Specification – LG Solar Panels
- Traffic Sign Schedule Sheet
- Waste Planning Assessment – Dated September 2019
- Operating Techniques Document – Dated October 2019
- Design and Access Statement
- Outdoor Lighting Report – Dated 25 September 2019
- Heritage Statement
- Archaeological Watching Brief
- Construction Method Statement

1.3 Description of site and surroundings

- 1.3.1 The application site is located on land adjoining the Colomendy Industrial Estate, located immediately to the north of the existing industrial estate.
- 1.3.2 The application site is referred to as Plot 1 of the 5 Plots being proposed for development.
- 1.3.3 Plot 1 is located between the proposed 'Yard Space Wales Limited' (at Plot 2) and Graig Road (Ffordd y Graig), which runs to the west of the application site.
- 1.3.4 The site is located on the northern edge of the town of Denbigh.
- 1.3.5 The site is on pastoral fields which are mostly defined by a generally deciduous hedgerow outer boundary, which has occasional mature deciduous trees and is broadly a rectilinear shape of approximately 8.25ha. It slopes down in a general west to east direction.
- 1.3.6 The western edge of the site is bounded by Graig Road (Ffordd Y Graig), which is over shadowed by the steep slopes of a mature deciduous woodland (Coed Parc Pierce), which forms a part of the neighbouring Graig Quarry (Denbigh Quarry) estate. The northern boundary is located next to a mosaic of gently sloping pastoral fields with occasional clumps of mature large trees, sporadic occasional farmsteads. The eastern boundary borders a large roundabout intersection of A525, A543 and Llwyn Goch. The southern boundary has a mosaic of medium-sized light/heavy industrial buildings, workshops and offices with large areas of external storage facilities, which all form the Colomendy Industrial estate.

1.4 Relevant planning constraints/considerations

- 1.4.1 An underground high pressure gas pipe crosses the site.
- 1.4.2 A Grade II listed building, Plas Clough is located some 260 metres to the north of the application site.
- 1.4.3 The application site is allocated in the Denbighshire Local Development Plan under Policy PSE 2 - 'Land for Employment Uses'.

1.5 Relevant planning history

- 1.5.1 None.

1.6 Developments/changes since the original submission

- 1.6.1 None.

1.7 Other relevant background information

- 1.7.1 The applicant has undertaken formal pre-application consultation as required by the Town and Country Planning (Development Management Procedure) (Wales) Order, 2012 as amended by the 2016 Order.

- 1.7.2 A request for the Local Planning Authority to provide a Screening Opinion for the project was made prior to the submission of the planning application. The application was screened negatively on 25 September 2019 in accordance with the provisions of the Town and Country Planning (Environmental Impacts Assessment) (Wales) Regulations 2017 (i.e. the application was not considered to be Environmental Impact Assessment Development requiring the submission of an Environmental Statement).

2. DETAILS OF PLANNING HISTORY:

- 2.1 There is no record of any previous planning history at the site.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Local Policy/Guidance

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 BSC1 – Growth Strategy for Denbighshire

Policy BSC3 – Securing infrastructure contributions from Development

Policy PSE2 – Land for employment uses

Policy PSE3 – Protection of employment land and buildings

Policy PSE15 – Safeguarding Minerals

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

Policy VOE7 – Locations for waste management

Policy VOE 10 – Renewable energy technologies

Policy ASA1 – New transport infrastructure

Policy ASA2 – Provision of sustainable transport facilities

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Access for All

Supplementary Planning Guidance Note: Archaeology

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Planning and the Welsh language

Supplementary Planning Guidance Note: Renewable Energy

Supplementary Planning Guidance Note: Trees & Landscaping

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

Technical Advice Notes

TAN 4 Retail and Commercial Development (2016)

TAN 5 Nature Conservation and Planning (2009)

TAN 8 Renewable Energy (2005)

TAN 11 Noise (1997)

TAN 12 Design (2016)

TAN 18 Transport (2007)

TAN 20 Planning and the Welsh Language (2017)

TAN 21 Waste (2017)

TAN 23 Economic Development (2014)

TAN 24 The Historic Environment (2017)

Towards Zero Waste (June 2010)

Collections Blueprint – for affordable and sustainable local authority collection services for recyclable, compostable and residual waste (March 2011)
Collections, Infrastructure and Markets Sector Plan (CIMS Plan) (2012)

Circular 13-97: Planning Obligations

European Policy

The Framework Directive on Waste (75/442/EEC as amended by 91/156/EEC and 91/962/EEC)

The Landfill Directive (1991/31/EC)

Revised Waste Framework Directive (2008/98/EC)

EU Directive on waste (2206/12/EC)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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.

The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 Waste management
- 4.1.3 Landscape and visual amenity
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)
- 4.1.8 Archaeology and built heritage
- 4.1.9 Impact on Welsh Language and Social and Cultural Fabric
- 4.1.10 Economic Impact Assessment
- 4.1.11 Environmental Impact Assessment
- 4.1.12 Agricultural Land
Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application site is allocated in the Denbighshire Local Development Plan under Policy PSE 2 - 'Land for Employment Uses' as a new allocation for employment purposes. The policy states that within these areas, employment development for the following use classes will be supported:

- B1 Business Use,
- B2 General Industrial and waste management facilities, and
- B8 Warehousing and Distribution.

The proposed development is in connection with the management of municipal waste. It is proposed to sort, bulk and bale household waste streams in support of the new

collection model with this waste being hauled off site daily. The site would not be used to treat waste, only for bulking or materials prior to removal off site and recycling/disposal off site. Such a development is considered to fall within the scope of the use classes listed within the Policy, and is considered in principle to be acceptable subject to due assessment of localised impacts.

Policy PSE 3 'Protection of Employment Land' aims to ensure that employment land is not lost to other uses. It is considered that the proposal would not conflict with this policy as waste management is listed within Policy PSE 2 which would be considered compatible with employment uses.

Policy VOE 7 'Locations for Waste Management' of the Denbighshire Local Development Plan identifies a number of sites on the Proposals Map which would, in principle be acceptable in principle for waste management facilities. Whilst this site is not listed within the list of sites within Policy VOE 7, the policy states that 'in addition to allocated sites, waste facilities excluding landfill and open windrow composting, will generally be acceptable on existing industrial estates.' The proposal would represent an extension to an existing industrial estate, within the allocation for Policy PSE 2 which states that proposals for waste management facilities would be acceptable. The principle of this type of development in this location, within the development boundary is therefore considered acceptable and in line with Policies PSE 2 and VOE 7 of the adopted LDP.

4.2.2 Waste management and Need for the development

Towards Zero Waste is the overarching waste strategy document for Wales. This is supported by a suite of sector plans and other documents which comprise the statutory waste management plan for Wales. The Collections, Infrastructure and Markets Sector (CIMS) Plan, is one of a suite of documents which collectively form the National Waste Strategy. The Collections Blueprint Strategy also forms part of the overarching national Waste Strategy and describes the Welsh Government's recommended service profile for the collection of household waste. In order to achieve sustainable waste management, an integrated and adequate network of waste disposal installations and installations for the recovery of mixed municipal waste collected from private households including where such collection also covers such waste from other producers must be established. In order for an authority to deliver the Welsh Government's aspirations as laid out in the National Waste Strategy, an authority must have at least one single waste transfer facility where materials can be deposited, bulked and baled for onwards transportation for recycling or recovery/treatment elsewhere.

The project would facilitate the remodelling of DCC's municipal waste collection processes, and highways waste management. It would ensure compliance with current legislation and the National Waste Strategy for Wales. The new depot would also result in the closure and decommissioning of the existing substandard facilities at Ruthin and Bodelwyddan. At present, DCC collect co-mingled waste from households. The proposed development would support the change from co-mingled collections to kerbside sort collections to adopt and deliver a service change in line with the Welsh Government's Collections Blueprint Strategy.

The proposal would ensure DCC meets its statutory recycling targets, to reduce reliance on landfill, and divert waste to Energy from Waste facilities. In order to support this change, a strategically placed waste transfer station is required to allow DCC to bulk and/or bale source segregated dry and organic waste streams, WEEE, AHP, dry mixed recyclate and residual waste for onward transportation to recover or dispose of elsewhere off site. The facility would receive all waste arising from households in Denbighshire for bulking and subsequent transfer, with the potential for the site to be expanded to include the collection, segregation and onward transfer of highways waste recovery. The project would also provide some capacity for limited

trade collection services for food waste, and segregated recyclates to businesses in Denbighshire.

It is considered that the project, and resulting planning application would contribute towards meeting the overriding objectives of Towards Zero Waste, the CIMS plan and would facilitate meeting the statutory recycling targets. It is also considered to accord the provisions set out in TAN 21. The application is also accompanied by a Waste Planning Assessment which has been produced in accordance with TAN 21, and the guidance set out in Annex B of the TAN. The proposal also will facilitate waste being moved up the Waste Hierarchy as the proposal would sort and bulk waste to be treated/recovered/recycled off site.

4.2.3 Landscape and 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.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

The site is not located within any designated landscape areas. A protected ancient woodland is located to the west of the application site. The application is accompanied by a Landscape and Visual Impact Assessment (LVIA), a landscaping scheme and a tree survey. The reports have been undertaken on a holistic approach, considering all five plots as a 'masterplan'.

The LVIA identified the critical near viewpoints to the north of the site, where much of the effort for retaining trees and new planting, including an element of evergreen, has been placed. The views from the centre of Denbigh and in particular the castle would not be considered to be significantly changed due to the distance and the extension being behind the existing estate. In addition the new buildings would be below the horizon when viewed from the other view-points of the LVIA.

The early cut and fill stage of development would be considered to be moderately intrusive when viewed from the north but in the longer term, the new planting proposed would provide adequate screening of the site. Phasing of the development over a number of years would allow the new planting to grow before some units are constructed.

In relation to trees on site, an arboricultural method statement would be required by condition to establish the special measures that would be employed to safeguard those trees that would be retained during development. Having assessed those trees that are proposed to be removed as a result of the development, the Tree advisor has noted that the Elms are likely to succumb to Dutch Elm Disease in due course and it would be difficult to retain them with the proposed site layout. The 'developing veteran' trees along the northern boundary that are proposed to be retained would provide ecological and landscaping benefits which would off-set the impact of the removal of other 'developing veteran' trees on the site designated so for their

ecological and wildlife value. Other trees that are to be removed are of no particular merit.

Denbigh Town Council have raised questions over the planting of new hedgerow and trees, and over the timing of planting work. Detailed landscaping plans have been submitted with the proposal, alongside details of which trees would be retained or removed. It is the applicant's intention that any new hedgerows and trees would be planted during the first available planting season in 2021. The timing of planting works and protection for existing trees can be covered by planning condition.

No other representations or consultation responses have been received raising concerns in relation to the proposed landscaping or visual impact of the proposals. Having regard to the detailing of the development, in relation to the character and appearance of the locality, it is considered the proposals would not have an unacceptable impact on visual amenity and the landscape would therefore be in general compliance with the tests in the policies referred to above.

4.2.4 Residential amenity

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

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.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

No representations or consultation responses have been received raising comment on the residential amenity impacts of the proposals.

The nearest residential dwelling to the site is located some 135m to the north.

The proposed hours of operation are (except for contingency operations):

- Monday – Saturdays 06:00 hours – 19:00 hours,
- Sundays 09:00 hours – 16:00 hours,
- Public holidays excluding Christmas and New Year's Day would be as above.

It is stated in the application documentation that during routine operations, the household waste fleet would depart the site between 06:00 hours and 06:45 hours with the majority of vehicles returning for a first tip off at around 10:30 – 11:30, before returning to rounds with a final tip off between 14:00 – 15:00 before the fleet would park in the site overnight. Whilst it is stated operations may extend beyond this time in certain circumstances, however, it is unlikely it would ever exceed 18:00, except in actual emergency situations.

The Office accommodation proposed for the site would be operational from 06:00 – 19:00 Monday – Fridays. As part of contingency measures it may be necessary to operate the site on Saturdays and Sundays within the hours noted above, a matter which would be controlled by condition.

Noise

A noise impact assessment accompanying the planning application assesses the potential noise emissions that would arise from the proposed waste transfer station. All operations would be carried out within the confines of the waste transfer station buildings with the exception of the handling of glass, which would be tipped within an external purpose built bay constructed of noise attenuating walls and a single skin clad roof. The noise assessment demonstrates that the proposal could operate within acceptable noise limits, and would not have an unacceptable impact on the nearest residential properties, subject to suitable noise mitigation measures.

Public Protection however does have concerns over the operation of the roof mounted extraction vents and would like to see a timed cut off switch installed so that they cannot be left running unchecked when switched on by operatives. All plant vehicles on site in the ownership of the operator should be fitted with white noise reversing beepers.

Having reviewed the proposals and submitted information within the Noise Impact Assessment, neither NRW nor the Council's Public Protection Officer raise any objections to the proposal. Nonetheless, conditions would need to be included to ensure that noise is controlled on site, to ensure the proposal accords with the provisions of Policy RD 1 of the adopted Denbighshire Local Development Plan.

Odour and air quality

The Town Council have indicated that automatic roller doors should be installed and not manual doors, to alleviate the risk of excess odour coming from the waste transfer station as well as reducing the risk of the doors being left open by staff. They also ask if the food waste could be taken directly to the Biogen plant in Rhualt thus reducing the risk of excess odour at the waste transfer station.

The applicants have reviewed the possibility of providing automatic doors within the main waste transfer building, but have discounted this for practical and operational reasons. It is the intention as far as practical to have the main large depot doors on the east & west elevations closed outside the main tipping windows of 10:30 hours – 12:00 hours and 13:30 hours – 15:00 hours; outside these times these doors would need to be opened for periods to enable access for off haul loading and removal of materials from site. It has not been considered necessary to require automatic doors to reduce odour, as food waste would be tipped direct into a sealed skip within the building and this sealed skip would only be opened when being tipped into and full food skips will be off hauled away from the site every 24 hours as routine practice to reduce any risk of odour build up; the same operational approach will be used (sealed skips within building) for any absorbent hygiene products waste collected.

Food waste and absorbent hygiene products would be transferred directly to a sealed bulk container within the transfer station building, or tipped within a designated bay, into a sealed skip, then transferred to the bulk container. The sealed container would only be opened to receive waste to reduce the emissions of any odours. No food waste would be treated on site, only stored and bulked prior to transfer off site. Food waste would only be stored within the confines of the proposed building within sealed skips and no food waste would be stored outside of the building; only emptied and cleaned food waste 'pods' would be stored outside prior to collection by the recycling collection vehicles in advance of a collection round.

It is to be noted that for the site to operate, it would require a permit from NRW. Obligations associated with the issue and maintenance of this permit would require

development of a strict environmental management system within which would be included a bespoke odour management plan that would dictate operations to minimise the impact of any odour build up based on baseline and modelled levels agreed as part of the permitting, including a requirement for suitable action to be taken should any issues arise and an associated mechanism for notifying the Council and/or NRW about any concerns and rectifying any issue.

The Town Council have questioned why food waste could not be taken directly to the Biogen plant in Rhualt, to reduce the risk of excess odour at the waste transfer station. Officers understand that where food waste continues to be collected on dedicated food collection vehicles across the County, this will continue to be directly delivered to Biogen. Given the design of the new RRV kerbside sort vehicles (which will contain a number of stillage's for recyclable material and food) it is not considered practical for this food waste to directly be delivered to Biogen given need to 'tip off' other recyclables in the new Building and the distance of a round trip to Biogen, given the impact on cost and time.

Notwithstanding this, as demonstrated above, the management practices proposed in relation to the use of sealed skips would ensure that odour is not emitted at an unacceptable level.

Concerns have also been raised in relation to potential odour emitted from the highways waste. The only material likely to give off an odour would be the gulley waste and road sweepings which are to be deposited within very deep covered and walled bays. The material is seasonal with little gulley emptying or road sweeping in the summer months. The material will be taken off at regular intervals when the bay has sufficient material stockpiled. The site will be operated under the same waste permit from NRW, so therefore both dust and odours would have to be addressed as part of the permitting process.

The application is accompanied by an air quality and odour assessment and an odour management plan. A dust management plan will be provided as part of the the Construction Method Statement. Furthermore, the operator would also need to operate in accordance with the environmental permit issued by NRW.

Having reviewed the Air Quality and Odour report, Public Protection support the mitigation measures proposed by the report. The application has been assessed by Public Protection Officers, who have confirmed that the Waste Transfer Station would not have an unacceptable impact upon the amenity of any dwellings subject to the mitigation measures proposed to be conditioned.

Having reviewed the proposals and submitted information within the air quality and odour assessment, neither NRW nor the Council's Public Protection Officer raise any objections to the proposal. A dust management plan would be included in the required construction method statement. Conditions would be included to ensure that dust is controlled on site and that no deleterious material is carried on to the public highway, and the construction and operational phases be carried out in accordance with the mitigation measures proposed in the air quality and odour assessment. As such, with the imposition of conditions, it is considered that the proposal accords with the provisions of Policy RD 1 of the adopted Denbighshire Local Development Plan.

Lighting

The application is accompanied by a lighting strategy. The lighting would be designed to fall within the site, facing inward and downward to prevent light spill onto surrounding land or outwards from the site. It is considered that this would protect light spillage to nearby residential properties. Public Protection have requested that the lighting strategy be revised slightly to ensure that low level lighting is used along the north elevation of the building to protect the amenity of residential properties.

Having reviewed the proposals and submitted information, neither NRW nor the Council's Public Protection Officer raise any objections to the lighting aspects of the proposal. Conditions would be included to ensure that lighting is controlled on site. As such, with the imposition of conditions, it is considered that the proposal accords with the provisions of Policy RD 1 of the adopted Denbighshire Local Development Plan.

4.2.5 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

This reflects policy and guidance in Planning Policy Wales (Section 6.4), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Planning Policy Wales (PPW) 10 sets out that *"planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity"* (para 6.4.5 refers). PPW also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (6.4.4).

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The ecological impacts of development should therefore be regarded as a potential material consideration.

Given the presence of protected species, (great crested newt) the works can only be carried out under a European Protected Species (EPS) License from NRW. In considering the grant of planning permission the LPA must consider whether the disturbance of the protected species is required for the purpose of *"preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance of the environment."*

Having reviewed the proposals and submitted information, neither NRW nor the Council's Ecologist raise any objections to the proposal subject to the inclusion of planning conditions to ensure the development is undertaken in accordance with the recommendations and mitigation set out within the assessments, and the applicant entering into a section 106 agreement for the provision of a commuted sum for on and off-site amphibian mitigation and management.

The application is accompanied by an ecological impact assessment, an amphibian conservation management plan, a long-term Habitat Management Plan (25 years), monitoring/surveillance, wardening, compliance audit and a Biodiversity Risk

Assessment. The applicant has also provided an outline great crested newt mitigation strategy.

The proposed development would effectively result in the loss of habitat for the European protected species; the great crested newt. To mitigate against this loss, the applicant is proposing an on-site ecological area, monitoring, surveillance and reporting regarding the population status of the great crested newt in this area, the payment of an annual commuted sum (index linked) for management and maintenance of the ecological area and provision to pay for off-site mitigation and management in the form of a commuted sum.

The area of on-site great crested newt compensation habitat proposed on the northern and eastern boundaries of the wider site encompassing Plots 1-5 would cover an area equal to that of the soft landscaping incorporated into the site design. The area across the five plots would include the creation of five new ponds, swales and an area of contiguous terrestrial habitat which would provide enhancements to existing habitat and create new habitat. The applicant has offered an annual commuted sum for the maintenance and management of the on-site ecological land. The management would be undertaken by DCC Countryside Services. An accompanying management plan has been submitted and approved by NRW and the Council's Ecologist, and would form part of the suite of approved plans, and the Section 106 legal agreement should planning permission be granted. The applicant has also offered a commuted sum for off-site newt mitigation/habitat creation elsewhere within Denbighshire to compensate for the habitat that would be lost by the proposed development. The applicant has confirmed willingness to enter into a section 106 agreement to secure the payment of the commuted sum for the off-site mitigation, and also an annual payment for on-site management of the ecological area.

It is noted that adequate mitigation and management methods have been proposed and no objections to these have been raised by the County Ecologist or NRW. It is therefore considered that if the development was permitted, it would not be detrimental to the maintenance of the population of the species concerned.

Given the advice from the County Biodiversity Officer and NRW, it is considered the proposal meets the '3 tests'. However, it is noted that these are also requirements of the EPS licence and in line with paragraph 3.12 of WGC 016/2014, this is considered to be unnecessary duplication. The monitoring condition in particular is considered to be a measurement of the EPS population status which is not a function of the Local Planning Authority. It is therefore not proposed to impose these additional conditions. A note to applicant would be included in any decision notice stressing the requirement to obtain an EPS Licence is proposed.

Having reviewed the proposals and submitted information, with the imposition of conditions and a section 106 agreement, it is considered that the proposal accords with the provisions of TAN5, and Policies RD 1, and VOE 5 of the adopted Denbighshire Local Development Plan and SPG 18.

4.2.6 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 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.

Planning Policy Wales (PPW 10) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

Dŵr Cymru Welsh Water and the Council's Flood Risk Manager have offered no objections subject to the inclusion of conditions relating to drainage.

The site is not within a C1 or C2 flood zone.

In relation to surface water drainage, Members may be aware that the Flood and Water Management Act (FWMA) set up a separate system of approval for sustainable drainage systems by SAB bodies, applicable to planning applications submitted from January 2019. The development would be subject to SAB approval.

With regard to the responses of the drainage consultees, it is not considered there are any flooding or drainage concerns here.

4.2.7 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. The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments. These policies reflect general principles set out in Planning Policy Wales (PPW 10) and TAN 18 – Transport, in support of sustainable development.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

No representations have been received raising objection to the highway impacts of the proposals. The Highway Officer does not object to the proposal subject to the imposition of a condition to require a Construction Method Statement. The implementation of the Travel Plan would need to be conditioned to ensure that the sustainable travel proposals are achieved.

The proposed development would be served from a purpose-built access and junction providing a ghost island right turn facility and widened carriageway to the junction with Llwyn Goch. A new footway/cycleway would also be provided along the eastern side of the road to connect into existing facilities while street lighting would be erected.

This access has been designed to accommodate cars, light goods vehicles and heavy goods vehicles, including RCVs for delivery of waste and articulated vehicles to transport bulk waste away from the site. Visibility splays of 2.4 x 120 metres are achievable in each direction for emerging vehicles, this being the requirement for speeds of up to 40mph. The proposal would give rise to an additional 260 vehicles per day accessing the site via the designated access road. The proposal includes the provision for staff parking whilst operatives are at work either on or off site. Also the RCV's would be parked on site overnight.

The proposed layout has been the subject of a Stage 1 Road Safety Audit. The application is accompanied with a Transport Assessment and a Travel Plan. The Transport Assessment considered the proposed development of Plot 1, and the wider cumulative impact from the developments of Plots 2-5. The Assessment concluded that the predicted effects of the proposed development of Plot 1 during peak periods would have a negligible impact on the operation of the highway network. The proposed site access would operate comfortably within capacity, with minimal queuing.

In terms of sustainable transport, the proposed development is located in a highly sustainable location accessible by all means of public and private transport. The proposal includes cycle storage provision and lockers, and also a new multi-use path to the site to encourage cycling to the site.

The general layout of the proposed site access arrangements demonstrate compliance with the visibility standards set out in TAN 18 and the submitted site plans illustrate the widening of the road, a newly formed ghost island (right turn lane), the formation of a multi-use pedestrian/cycle path, along with associated highway works which includes the reduction of the speed limit on Ffordd y Graig, associated street lighting and road markings.

Having regard to the details provided and guidance identified above, it is considered that the on-site highways arrangements are acceptable. The proposed parking arrangements are compliant with the standards set out in the Parking Supplementary Planning Guidance Note and are therefore considered acceptable. It is considered that the proposal accords with the provisions of Policies RD1, ASA 1 and ASA 3 of the adopted Local Development Plan.

4.2.8 Archaeology and built heritage

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 (PPW 10), Section 6 'Distinctive and Natural Places' recognises the need to conserve archaeological remains. The consideration of archaeological remains and their setting is a material planning consideration in determining planning applications, whether those remains are a scheduled monument or not.

Section 4 of TAN 24 - The Historic Environment sets out similar considerations to be given by a local planning authority to the determination of applications involving archaeological remains, and their settings. It outlines different scenarios obliging consideration of impacts and stresses the need for submissions to include relevant surveys, studies and assessments, and mitigation proposals.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The impact on archaeology may therefore be regarded as a potential material consideration.

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 (PPW 10) Section 6 'Distinctive and Natural Places' refers specifically to the need to ensure the character of historic buildings is safeguarded from alterations, extensions, or demolition that would compromise their special architectural and historic interest.; and 6.1.10 indicates that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, and any features of special architectural or historic interest which it possesses.

CPAT do not object to the proposal subject to appropriate archaeological monitoring so that any archaeology identified can be fully recorded.

The application is accompanied with a Heritage Statement contained within the Design, Access and Planning Statement. The site lies within the Vale of Clwyd Registered Historic Landscape and is in close proximity (260m away) to the important Grade II Listed Plas Clough and these are considered to be the main historic assets that could be affected by the proposal. There is a clear and defensible boundary between the application site and the land that forms the immediate setting of the listed building. This would be retained. Furthermore, the proposed landscaping would also serve as a boundary to the parkland and garden that are associated with the house, historically. It is considered that the proposal would not have an adverse or detrimental impact on the listed building or its setting, and therefore would accord with the provisions of Policies RD1 (iii) and VOE1 of the adopted Local Development Plan.

Information retained within the Historic Environment Record indicates that the proposed development is located within an area where a predicted Roman road north/south alignment is recorded (PRN 48000 Corwen- St Asaph). On the basis of the CPAT advice, a watching brief has accompanied the application and a condition can be imposed to ensure that a qualified archaeologist is present during any ground works, and a copy of the resulting report subsequently submitted.

4.2.9 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh language is set out in Policy RD 5 in the Local Development Plan. The policy obliges consideration of the potential harm to the character and language balance of a community from the size, scale or location of a development. It indicates developers would be expected to provide bilingual signage as a minimum means of promoting the Welsh language, and that in appropriate circumstances, mitigation against any adverse effect may be secured through a financial contribution.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The impact on the Welsh language should therefore be regarded as a potential material consideration.

Planning Policy Wales Section 3.28 states that considerations relating to the use of the Welsh language may be taken into account by decision makers so far as they are material to applications for planning permission.

TAN 20 has clarified the approach to be taken in relation to the assessment of individual planning applications in that it does not require applications to be subject to Welsh language impact assessment where this would duplicate the Strategic Assessment and Local Development Plan site selection processes. As the application site is an allocated Employment site in the Local Development Plan, no impact assessment is necessary as part of the application.

However, the applicant has provided a Welsh Language Statement assessing the effects of the proposed development on the Welsh Language. No mitigation measures are considered to be necessary to make the proposed development acceptable, however, the proposal is to use Welsh street names, to be agreed with the Town and County Council. All external signage would be bilingual. It is likely that most internal signage would also be bilingual. The presence of the Welsh language is visible on the existing Colomendy Industrial Estate and therefore it is considered appropriate that it continues within the development.

4.2.10 Economic Impact Assessment

Policy PSE 2 of the Local Development Plan supports development of existing employment sites on the proposals maps, by way of uses within Class B1 (Business Use), B2 (General Industrial and Waste Management facilities) and B8 (Warehousing and Distribution).

Policy PSE 3 seeks to protect employment land and buildings and only offers support for proposals which would result in the loss of such land and buildings where strict tests can be met:

- where there are no other suitable sites available for the development;
- where there is evidence of a continuous marketing process of 1 year alongside practical attempts to retain the employment use and where the premises are no longer capable of providing an acceptable standard of accommodation for employment purposes;
- where there is evidence that the loss of the site/premises would not prejudice the ability of an area to meet a range of employment needs, or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site.

The range of policies referred to above are in general conformity with the approach to development in Planning Policy Wales (PPW 10), supporting sustainable economic development.

The application is accompanied by an Economic Impact Assessment. It concludes that the proposed development at Colomendy Industrial Estate would have a cumulatively significant positive impact on both the estate and the town of Denbigh itself. £9.3 million would be invested in the development of the waste transfer station. The collaborative nature of the proposal, bringing together the Local Authority with four key businesses on the estate, is innovative and demonstrates a pathway forward for future rural economic development.

It is considered that the proposed development would lead to the safeguarding of existing jobs through improving the facilities for the Waste Transfer Station. It is further considered that there would be other jobs protected through the ability for existing companies to expand within the estate. The proposal is consistent with the principles of developing sustainable communities, through the promotion of the economic, social and environmental well-being of the area. The development would facilitate the retention of 135 jobs (114 operatives, 21 staff) which would be relocated from existing waste management sites in Denbighshire and will create 4 new jobs, with the added economic benefits of employment during the construction phase.

4.2.11 Environmental Impact Assessment

The application was screened negatively on 25 September 2019 in accordance with the provisions of the Town and Country Planning (Environmental Impacts Assessment) (Wales) Regulations 2017 (i.e. the application was not considered to be Environmental Impact Assessment requiring the submission of an Environmental Statement).

The Screening Opinion gave regard to the relevant Schedules of the 2017 Regulations and the advice set out in Welsh Office Circular 11/99: Environmental

Impact Assessment, it is the view of the Council that the proposed development falls within the following description of development listed in Column 1 of the table contained in Schedule 2 Regulation 2 (1) of the above regulations:

- The proposed development falls within a Schedule 2 development (11.b) as defined in 'The Town and Country (Environmental Impact Assessment) (Wales) Regulations 2017' as the proposal is considered to be defined as an 'installation for the disposal of waste'
- The proposal exceeds the thresholds identified in Column 2, as the area of development exceeds 0.5ha.

However, having regard to the selection criteria for screening Schedule 2 development contained in Schedule 3 of the 2017 Regulations, it is the opinion of the Council that the proposed development, and the development of the entire site containing 5 plots, considering the cumulative effect is not likely to have significant effects on the environment by virtue of factors such as its nature, size and location.

Consequently the proposed development, and the wider project has been assessed as Environmental Impact Assessment development which does not require the submission of an Environmental Statement.

4.2.12 Agricultural Land

Planning Policy Wales (PPW 10) (Section 3.54 and 3.55) obliges weight to be given to protecting land of grades 1, 2, and 3a quality in the Agricultural land Classification (ALC). PPW notes this land is considered to be the best and most versatile and justifies conservation as a finite resource for the future. It indicates that land of this quality should only be developed if there is an overriding need for the development, and either previously developed land or land of a lower grade is available, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

As the application site is allocated under the LDP for employment uses, which includes waste management, it is considered that the tests of the loss of best and most versatile land have been applied already and it is not necessary to revisit this matter at application stage.

It is nonetheless relevant that need has been demonstrated for the employment land allocation through the LDP processes through its preparation and adoption. The need for the waste management facility has also been demonstrated through the submitted waste planning assessment and therefore demonstrates that the need for the waste transfer station outweighs the loss of the agricultural land.

Other matters

Waste Materials Balance

Waste would be generated during the construction phase of the project. Due to considerable level changes across the site, materials balance calculations have been undertaken across the site considering the needs of 'cut' or 'fill' across the five plots, assuming all five receive planning consent. The calculations establish how much material would be removed from each plot/site, and how much would be required to create the desired development platform for each planning application.

Topsoil with a depth between 250mm and 300mm would be stripped and initially stored on the site in designated stockpiles no greater than 2m high. Surplus topsoil would be removed from site when primary aggregates are imported to the project along designated haul roads. Surplus sub soil and topsoil would be loaded and backhauled (where possible) to minimise road wagon movements and reduce the carbon footprint of the project. Enough topsoil would be left on site in stockpiles for verge and landscape areas. A haul road would be constructed along the south

boundary of the site which would be a continuation of the proposed site access point for Plot 1.

The majority of the cut material would be derived from Plot 3 (Henllan Bread) as this plot is considerably higher than the adjoining Henllan Bread, with Plot 1 mainly fill to create the desired development platform to construct the waste transfer station building. The five plots have been considered as a project with regards to earthworks and material balance requirements. The plots with a surplus of excavated materials are Plots 3, 4 and 5. Plot 2 is balanced where cut material would be excavated and placed as fill where required. The strategy for the earthworks would be to excavate the surplus from Plots 3, 4 and 5 and place and compact into the main fill area in Plot 1. Once this main haul of materials is complete, localised cut to fill operations would be carried out in Plots 2, 3, 4 and 5. This demonstrates that the applicant has considered the sustainability of the project holistically to reduce the need to import materials where soils/earth can be used from others sites over the 5 plots. This reduces the amount of vehicle movements required to bring in material onto site, or remove unwanted material off site, and also reduces the waste arisings associated with the project, thus reusing material where required.

Overall, there would be a surplus of top soils and materials that would not be reused on site over the 5 plots. Therefore this would be removed off site. However, no soil/earth materials would be imported to create the desired development platform thus reducing the overall vehicle movements associated with the project as a whole.

Environmental Sustainability

Various provisions have been included in the design to enhance the sustainability credentials of the project and to conserve energy and water resources. Solar panels, rainwater harvesting, car charging points, ground or air source heating for the office accommodation are proposed. Conditions can be imposed to require the submission of the details prior to their installation.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 development is considered acceptable in this location. The proposed development would result in the application site being brought forward for waste management purposes in line with the site allocation in the adopted LDP.
- 5.2 It is not considered that there would be any adverse localised impacts in relation to visual, landscape or residential amenity from the emissions of noise, odour, dust or light, subject to imposition of suitable conditions. In highways and drainage terms the proposal is considered acceptable. With the inclusion of conditions and a section 106 legal agreement, nature conservation and built heritage impacts would be safeguarded.

5.3 It is considered with regard to responses from specialist consultees, that the proposal is acceptable in relation to relevant detailed policy and local impact considerations.

5.4 In determining this application, the Council has had regard to the Policies of the Development Plan, and regional and national policy, legislation and guidance. Subject to the imposition of conditions as listed above, Officers consider there is no justifiable planning reason why planning permission should be refused. Accordingly, it is recommended that planning permission should be granted. A Section 106 legal agreement is required for an amphibian conservation management plan, and a commuted sum for on and off-site management and mitigation.

It is therefore recommended that Members resolve to grant planning permission subject to:-

1. The completion of a suitable agreement under Section 106 of the Planning Act to provide for a commuted sum for on and off-site amphibian mitigation and management, together with the implementation of an amphibian conservation management plan for a 25 year period.

The precise wording of the agreement would be a matter for the legal officer to finalise. In the event of failure to complete the agreement within 6 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

2. Compliance with the conditions listed below.

RECOMMENDATION: GRANT - subject to the following conditions:-

COMMENCEMENT

1. The development to which this permission relates shall be begun no later than five years from the date of this permission.

LIST OF APPROVED PLANS AND DOCUMENTS

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) Land Plan, Plots 1-5 Aerial Background (Drawing No. H4/18304/D54B) - Received 2 December 2019
 - (ii) Landscape Proposals (3 Drawings No. MH-057-LP-01 Rev C, MH-057-LP-02 Rev C & MH-057-LP-03 Rev C) - Received 18 February 2020
 - (iii) Piped Drainage Layout (Drawing No. H3-18304-D-072E) - Received 17 December 2019
 - (iv) Colomendy Industrial Estate Foul Sewage (Drawing No. H3-19-304-D01E) - Received 17 December 2019
 - (v) Product Detail Drawing (Drawing No. H3-18304-D-117D) - Received 14 January 2020
 - (vi) Access - Drainage (Drawing No. H3/18304/D/05/01B) - Received 17 December 2019
 - (vii) Access - Pavement (Drawing No. H3/18304/D/07/01B) - Received 17 December 2019
 - (viii) Road Lighting Columns (Drawing No. H3/18304/D/13/01B) - Received 17 December 2019
 - (ix) Road 1 Plan and Long Section (Drawing No. H3/18304/D/119B) - Received 17 December 2019
 - (x) Cross Sections Road 1 (2 Drawings No. H3/18304/D/120 B & 121 B) - Received 17 December 2019
 - (xi) External Storage Bays (3 Drawings No. H3/18304/D/77C & 78B & 79C) - Received 11 December 2019

- (xii) Plot 1 Retaining Walls (Drawing No. H3/18304/D/116B) - Received 11 December 2019
- (xiii) Proposed Site/Block Plan (Drawing No. EWP7751/A(27)L007 Rev C) - Received 17 December 2019
- (xiv) Proposed Site Plan (Drawing No. EWP7751/A(27)L006 Rev C) - Received 17 December 2019
- (xv) External Elevations (Drawing No. EWP7751/A(27)L001 Rev A) - Received 11 December 2019
- (xvi) External Elevations and Typical Section (Drawing No. EWP7751/A(27)L002 Rev A) - Received 11 December 2019
- (xvii) Main Depot Building Proposed Ground Floor Plan (Drawing No. EWP7751/A(27)L003 Rev A) - Received 11 December 2019
- (xviii) Main Depot Building Proposed First Floor Plan (Drawing No. EWP7751/A(27)L004 Rev A) - Received 11 December 2019
- (xix) Main Depot Building Proposed Roof Plan (Drawing No. EWP7751/A(27)L005) - Received 11 December 2019
- (xx) Main Depot Building Proposed Site Section (Drawing No. EWP7751/A(27)L008 Rev A) - Received 11 December 2019
- (xxi) Highways Depot Building Proposed Plan/Section and Elevations (Drawing No. EWP7751/A(27)L009) - Received 16 January 2020
- (xxii) Existing Topographical Information Plot 1 (Drawing No. H3-18304-D-122A) - Received 11 December 2019
- (xxiii) Proposed Sign Schedule - Received 11 December 2019
- (xxiv) Traffic Signs and Road Markings (Drawing No. H3/18304/D/12/01A) - Received 11 December 2019
- (xxv) Access - Fencing (Drawing No. H3/18304/D/03/01A) - Received 11 December 2019
- (xxvi) Kerbs Footways and Paved Areas (Drawing No. H3/18304/D/11/01A) - Received 11 December 2019
- (xxvii) Road Lighting Columns (Drawing No. H3/18304/D/13/01A) - Received 11 December 2019
- (xxviii) Existing Site Plan Showing License Permit Area (Drawing No. H3-19-304-D-85C) - Received 24 February 2020
- (xxix) Tree Protection Sections (2 Drawings No. H3/18304/D/30C & 31C) – Received 21 January 2020
- (xxx) Earthworks Strategy - Received 21 January 2020
- (xxxi) Tree Survey and Proposed Site Layout Plan (Drawing No. H3-18304-D-131B) – Received 24 February 2020
- (xxxii) Proposed Substations (Drawing No. H3/18304/D/83D) – Received 18 February 2020
- (xxxiii) DCC Extent of Site Location Plan (Drawing No. H3-18304-D-63E) - Received 12 February 2020
- (xxxiv) External Lighting Services (Drawing No. P1759/E701 Rev P3) – Received 20 February 2020
- (xxxv) Swale Sections (Drawing No. H3/18304/D/139B) – received 20 February 2020
- (xxxvi) On-site Mitigation Area (Drawing No. H3/18304/D/138A) – received 20 February 2020

Documents

- Pre-Application Consultation Report – 2019.0107
- Economic Impact Assessment 2019.107 – Dated October 2019
- Welsh Language Statement 2019.107 – Dated November 2019
- Transport Assessment 662566 – Dated October 2019
- Travel Plan 662566 – Dated October 2019
- Planning Acoustic Report – Revision 3 Dated 21/11/2019
- Air Quality Assessment – Revision 2 Dated 21/10/2019
- Tree Condition Survey 022020/TCS/HESCIE dated 14/02/2020 received 18/02/2020
- Drainage Strategy – November 2019
- North-East Ecological Impact Assessment – SJ05746.67407 – Updated 24/09/2019
- North-West Ecological Impact Assessment – SJ05389.67434 – Updated 24/09/2019

- Long-Term Habitat Management Plan, Monitoring/ Surveillance, Wardening, Compliance Audit and Biodiversity Risk Assessment – Prepared 25/11/2019, revised 21/01/2020
- Outline Great Crested Newt Mitigation Strategy – Dated 25/11/2019, revised 21/01/2020
- Geotechnical Report V.01 – Dated March 2019
- Landscape and Visual Impact Assessment – MH-057 Rev-03 Dated February 2020
- Photomontage MH-57-VR- 1, 2 and 3 dated October 2019
- Tata Steel Colour sheet
- Product Specification – Roof Extractor Unit
- Product Specification – LG Solar Panels
- Traffic Sign Schedule Sheet
- Waste Planning Assessment – Dated September 2019
- Operating Techniques Document – Dated October 2019
- Design, Access and Planning Statement
- Outdoor Lighting Report 1 – Dated 24 September 2019
- Outdoor Lighting Report 2 – Dated 25 September 2019
- Cut and Fill Report Dated 03.09.2019
- Archaeological Watching Brief, Written Scheme of Investigation for Plot 1 Colomendy Industrial Estate. Reference CPAT WSI 2164 received 20 January 2020
- Colomendy Industrial Estate Extension – Plots 1 to 5 Earthworks Strategy dated 20/01/2020. Received 21 January 2020
- Bat and Bird Box Location Plan - Prepared 21/01/2020
- Construction Method Statement - dated Feb 2020 - received 18/02/2020

WASTE TYPE RESTRICTION

3. Unless otherwise agreed in writing, no waste other than those waste materials defined in the application details shall be permitted to enter the site.
4. Unless otherwise agreed in writing, there shall be no deposition, storage, processing, handling or transfer of waste permitted within the site outside of the approved area defined on approved plan H3/18304/D85C. All operations hereby permitted by this planning permission shall be carried out in accordance with the approved Operating Techniques Document.

HIGHWAYS / PARKING

Construction Method Statement

5. The development hereby permitted shall not be allowed to commence until the written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:
 - a) the arrangements for the parking of vehicles of site operatives and visitors;
 - b) the location of any construction compound and measures to reinstate the land following completion of the works;
 - c) the hours of site works and deliveries;
 - d) the proposed routing of delivery vehicles, and directional signing along public roads where necessary;
 - e) the location of areas designated for the loading, unloading, and storage of plant and materials;
 - f) the proposals for security fencing or hoardings around the site;
 - g) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses;
 - h) wheel washing facilities;
 - i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - j) any proposed external lighting; and
 - k) the piling methods, in the event that this form of foundation construction is proposed.

Access

6. The access to the site shall be completed in accordance with the approved plans before the any part of the waste transfer facility to which it relates is first brought into use, and shall be retained as approved at all times thereafter.

Parking

7. Facilities shall be provided and retained within the site for the access, loading, unloading, parking and turning of vehicles for the approved waste transfer facility as indicated on the approved plans, and shall be completed prior to the use commencing. The arrangements shall be maintained as such and used for no other purposes.

Visibility Splays

8. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 1.05 metres above the level of the adjoining carriageway.

Travel Plan

9. The approved Travel Plan dated October 2019 shall be implemented as approved upon commencement of development hereby approved and in line with the provisions and timescales set out within the Plan.

Maintenance and cleaning of access roads

10. The surface of the approved access roads shall be maintained at all times to a good condition, with a bonded surface for the life of the development. They shall be swept regularly and dust suppression methods shall be used to ensure that the access road is kept clean and free from dirt and dust, so as not to emit dust or deposit slurry, mud, waste or other material on the public highway. No vehicle exiting the site shall enter the public highway in a condition which is liable to cause deposits of mud, debris, or deleterious material onto the public highway and all waste transfer vehicles exiting the site shall be appropriately cover/sheeted. Methods of removal of debris, and ensuring that mud is not deposited on the highway shall be monitored and reviewed annually. The use of a road sweeper shall be used when required and and vehicle washing facility shall be used at all times and maintained in good working order throughout the life of the development.

NATURE CONSERVATION

11. The development hereby approved shall be undertaken in accordance with the proposed mitigation, compensation and enhancement set out in the submitted ecological assessments and ecological reports:-
 - North-East Ecological Impact Assessment – SJ05746.67407 – Updated 24/09/2019
 - North-West Ecological Impact Assessment – SJ05389.67434 – Updated 24/09/2019
 - Long-Term Habitat Management Plan, Monitoring/ Surveillance, Wardening, Compliance Audit and Biodiversity Risk Assessment – Prepared 25/11/2019, revised 21/01/2020
 - Outline Great Crested Newt Mitigation Strategy – Dated 25/11/2019, revised 21/01/2020
 - Bat and Bird Box Location Plan - Prepared 21/01/2020

PLANTING / LANDSCAPING

12. All planting comprised in the approved details of landscaping shall be carried out in accordance with approved plans Drawings No. MH-057-LP-01 Rev C, MH-057-LP-02 Rev C & MH-057-LP-03 Rev C no later than the first planting and seeding season following the commencement of the development hereby approved. 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.
13. Prior to the commencement of development hereby approved, a Plan shall be submitted for the written approval of the Local Planning Authority showing all trees and hedgerows on site to be retained. None of the trees or hedgerows shown to be retained on the approved plan shall be felled, lopped or topped without the prior consent of the Local Planning Authority. The approved plan shall provide details of the root protection areas required for each retained tree/hedgerow. The approved plan shall also provide details of the location and specification details of fencing to

be used to protect trees and hedgerows during construction. The approved tree protection fencing shall be installed as approved prior to commencement of development and retained for the duration of the construction period, with the exception of works that take place within the root protection areas shown on the approved plan. Works that take place within these root protection areas shall take place in accordance with the approved Arboricultural Method Statement as required by condition No.15.

14. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work in accordance with the scheme required and approved by condition No.13. No construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
15. Prior to the commencement of development hereby approved, an Arboricultural Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Arboricultural Method statement shall provide details of special measures to safeguard trees during the development, specifically when excavating and carrying out works within the root protection areas of the retained trees/hedgerows. Excavation works that take place within the root protection areas shall be supervised by a qualified arboriculturalist at all times during these works.

ARCHAEOLOGY

16. All groundworks shall be undertaken in the presence of a qualified archaeological contractor so that the approved archaeological watching brief (reference Archaeological Watching Brief, Written Scheme of Investigation for Plot 1 Colomendy Industrial Estate. Reference CPAT WSI 2164) shall be conducted and undertaken to the standards laid down by the Institute for Archaeologists. Within two months of the fieldwork being completed, a copy of the resulting report shall be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (The Offices, Coed y Dinas, Welshpool, SY21 8RP, telephone: 01938 553670).

HOURS OF OPERATION

17. Except for contingency operations, maintenance and emergencies, the use hereby permitted shall only be permitted take place between the hours of:-
 - 0600 hours – 1900 hours Monday – Saturdays, (including public holidays)
 - 0900 hours – 1600 hours Sundays, (including public holidays)
 - No operation shall be permitted on Christmas and New Year's Day.

LIGHTING

18. No external lighting other than that shown on the approved External Lighting Services (Drawing No. P1759/E701 P3) shall be installed without the formal written approval of the Local Planning Authority. The approved lighting shall be kept facing down and shielded as detailed within the approved Drawing No. P1759/E701 P3, and shall not trespass into the on-site wildlife mitigation area as shown on approved plan Drawing No. H3/18304/D/138A. The approved lighting shall only operate between the hours of operation as detailed in Condition No. 17 with the exception of lighting used for security purposes which shall be operated on a PIR sensor. The approved scheme shall be implemented strictly in accordance with the approved details unless otherwise approved in writing with the Local Planning Authority.
19. Notwithstanding Condition No. 18, unless otherwise agreed in writing with the Local Planning Authority, any lighting installed on the site, shall follow the guidance set out in Guidance Note 08/18 Bats and artificial lighting in the UK (2018) Bat conservation Trust & the Institute for Lighting Professionals. Lighting shall emit a warm white spectrum of 2700 Kelvin or less to reduce blue light component. Peak wavelengths emitted from the lighting shall be higher than 550nm.

MATERIALS

20. Unless otherwise agreed in writing by the Local Planning Authority, the cladding to be used on the external walls of the buildings hereby approved shall be coloured:
- Goosewing Grey (BS10A15) (Walls)
 - Merlin Grey (BS18B25) (External Doors, Frames and Roof Cladding)
 - Anthracite Grey (RAL7016) (Corners, Trim, Gutters and Down-pipes)

ENVIRONMENTAL SUSTAINABILITY

21. No work shall be permitted on the installation of the rainwater harvesting system and the ground or air sourced heat pump system until the written approval of the Local Planning Authority has been obtained to the details thereof. The systems shall be installed strictly in accordance with the details proposed in relation to this condition.

SOIL MANAGEMENT AND STORAGE

22. Storage stockpiles of Topsoil shall not exceed 2 metres in height.
23. Topsoil, subsoil and soil making material shall only be stripped when they are in a dry and friable condition, and no movement of soils shall occur:
- a) The cohesive soils at the site are at or slightly above the Plastic Limit (PL) in their natural condition. To re-use the cohesive soil as fill on the site during the earthworks contract it will need to be 'Plastic'; optimum compaction (<5% air voids) is generally achieved when the moisture content is between 1.1xPL to 1.2xPL. If the soil becomes friable, water will have to be added to compact it. There would also be an increase in dust generation.
 - b) Water naturally pools at the surface following rainfall as the subsoils over the majority of the site are low permeability cohesive soils.

DUST AND ODOUR CONTROL

24. The best practical means shall be employed at all times to minimise the emission of dust and odour from the development hereby permitted. In the event that dust generated by any of the operations is seen crossing the site boundary, the operations giving rise to the dust shall cease or be curtailed until dust is no longer visibly crossing the boundary.
25. The dust and odour mitigation measures proposed within the approved air quality and odour assessment, shall be employed on site at all times during the construction phase, and during the life of the development hereby permitted.

NOISE

26. Best practice mitigation measures to minimise noise arising from the operations at the site shall be employed at the site all times as detailed within the conclusions and recommendations of the approved Acoustic Report. The roof mounted extraction vents shall operate in a trickle mode at all times, unless exceptional circumstances require them to expel air at an increased rate. The operation of the roof mounted fans shall be controlled by a timed cut-off switch once activated, the details of which will be agreed in writing with the local planning authority prior to the development hereby approved is operational. All vehicles, plant and machinery operated on the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with effective silencers and shall use noise attenuating equipment such as broad band white noise reversing warning devices.
27. Notwithstanding the provisions of Condition No. 24, noise levels from all operations on site shall not exceed 55dB LAeq (1 Hour) (freefield) at any noise sensitive properties. For temporary operations such as soil stripping and stockpile formation during the construction period, noise from operations on site shall not exceed 67dB LAeq (1 Hour) (freefield) when measured at any noise sensitive property.

DRAINAGE

28. Within three months of the date of this consent, a foul water drainage scheme shall be submitted to for the written approval of the local Planning Authority. The scheme shall provide for the disposal of foul water flows and shall be implemented in accordance with the approved details prior to the commencement of the Waste Transfer use.
29. Within three months of the date of this consent, a potable water scheme to serve the site, to demonstrate that the existing water supply network can suitably accommodate the proposed development shall be submitted for the written approval of the local Planning Authority. If necessary, a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the use of any building. The agreed scheme shall be constructed in full and remain in perpetuity.

The reasons 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. Waste material outside of the aforementioned would raise alternate, additional environmental concerns which would need to be considered afresh.
4. To ensure controlled waste operations and the containment of waste materials, to ensure minimum disturbance from operations, and to avoid nuisance to local amenity.
5. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
6. To ensure the development is served by a safe and satisfactory access, and in the interests of the free and safe movement of traffic on the adjacent highway.
7. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
8. To ensure adequate visibility is provided at all times in the interests of the free and safe movement of traffic on the proposed highway.
9. To provide sustainable transport measures for visitors and staff and to ensure that the impact of the proposal on the free and safe flow of traffic on the highway is kept to a minimum.
10. In the interests of highway safety and safeguarding the local environment and to prevent mud, waste and debris being taking on to the highway.
11. In the interest of preserving ecological interests.
12. For the avoidance of doubt and in the interests of visual amenity.
13. In the interests of visual amenity and for the protection of trees.
14. In the interests of visual amenity and for the protection of trees
15. In the interests of visual amenity and for the protection of trees
16. In the interest of preservation of archaeological remains.
17. For the avoidance of doubt and in the interest of amenity and to protect the amenity of nearby residents.
18. In the interests of visual amenity and nature conservation.
19. For the avoidance of doubt and in the interest nature conservation and reduce the impact of lighting on the bat population.
20. In the interests of visual amenity.
21. In the interests of environmental sustainability
22. For the avoidance of doubt, in the interests of the protection of soil resources on site
23. For the avoidance of doubt, in the interests of the protection of soil resources on site
24. In the interests of the protection of residential amenity and health and well-being of the neighbouring population and to ensure that dust emissions from the site are controlled.
25. In the interests of the protection of residential amenity and health and well-being of the neighbouring population and to ensure that dust emissions from the site are controlled.
26. In the interests of the protection of residential amenity and health and well-being of the neighbouring population and to ensure that noise from the site is controlled.
27. In the interests of the protection of residential amenity and health and well-being of the neighbouring population and to ensure that noise from the site is controlled.

28. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
29. To ensure the site is served by a suitable potable water supply.