



© Crown copyright and database rights 2020 Ordnance Survey 100023408

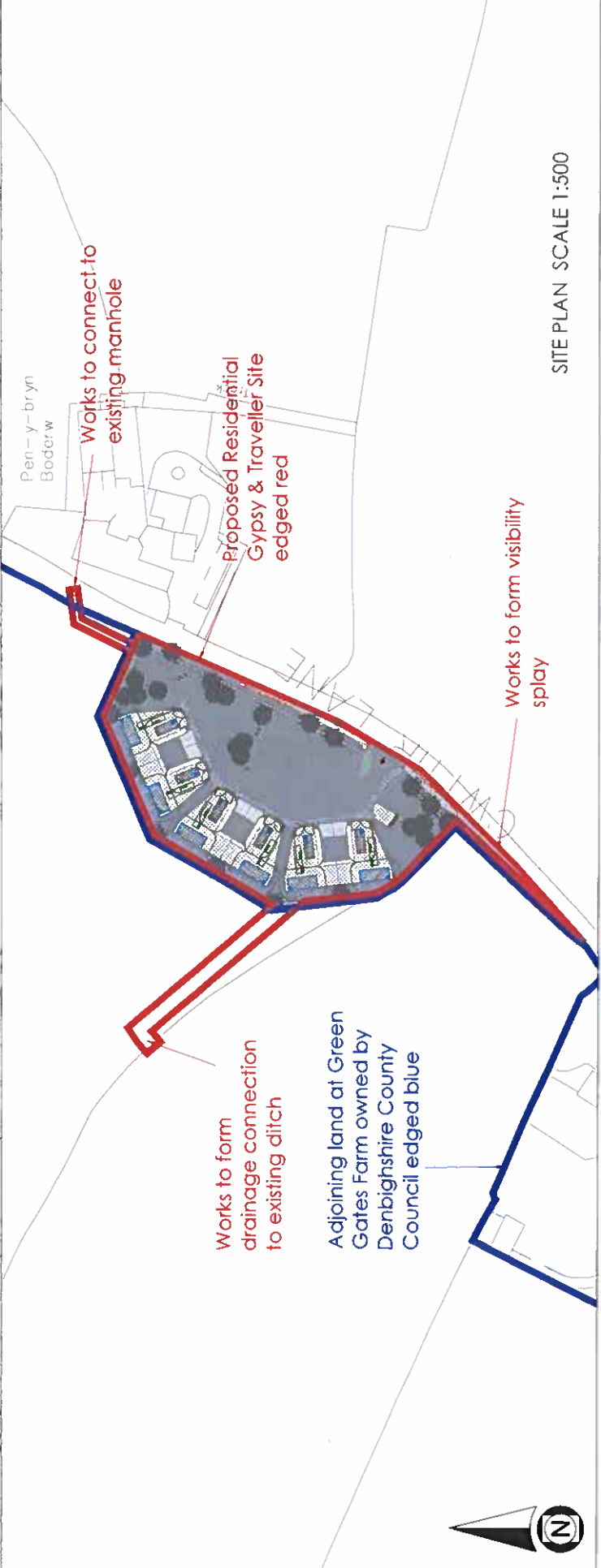
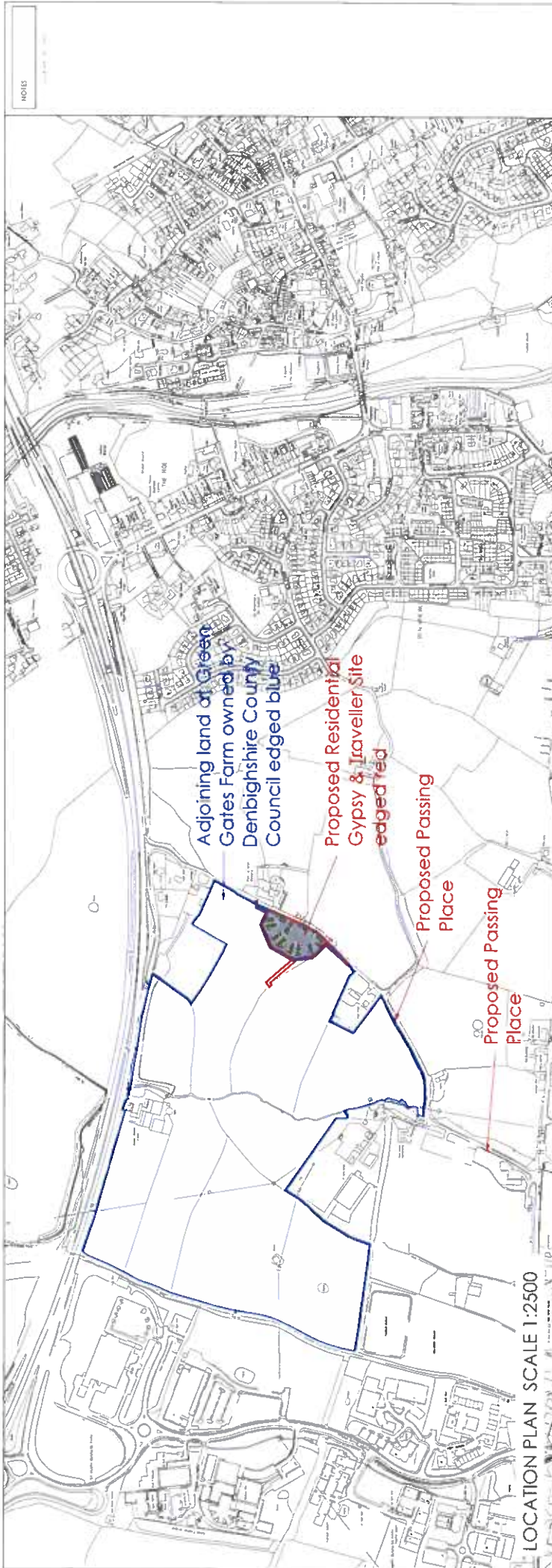
46/2019/0792

Scale: 1:2500

Printed on: 21/2/2020 at 14:32 PM

LOCATION PLAN

Project Name	Green Gales Farm
Client	Denbighshire County Council
Location	Pen-y-bryn Bodorw
Scale	1:500
Author	A 103
Check	C



SITE LAYOUT

NOTE: All dimensions are in meters.

LEGEND

- Proposed Fencing
- Existing Fencing
- Proposed Landscaping
- Existing Landscaping
- Proposed Paved Area
- Existing Paved Area
- Proposed Grass Area
- Existing Grass Area
- Proposed Water Feature
- Existing Water Feature
- Proposed Building Footprint
- Existing Building Footprint
- Proposed Access Road
- Existing Access Road
- Proposed Drainage Ditch
- Existing Drainage Ditch
- Proposed Hedge
- Existing Hedge
- Proposed Tree
- Existing Tree

Client Information

Client: Green Capital Farm (Pvt) Ltd

Project: Site Layout

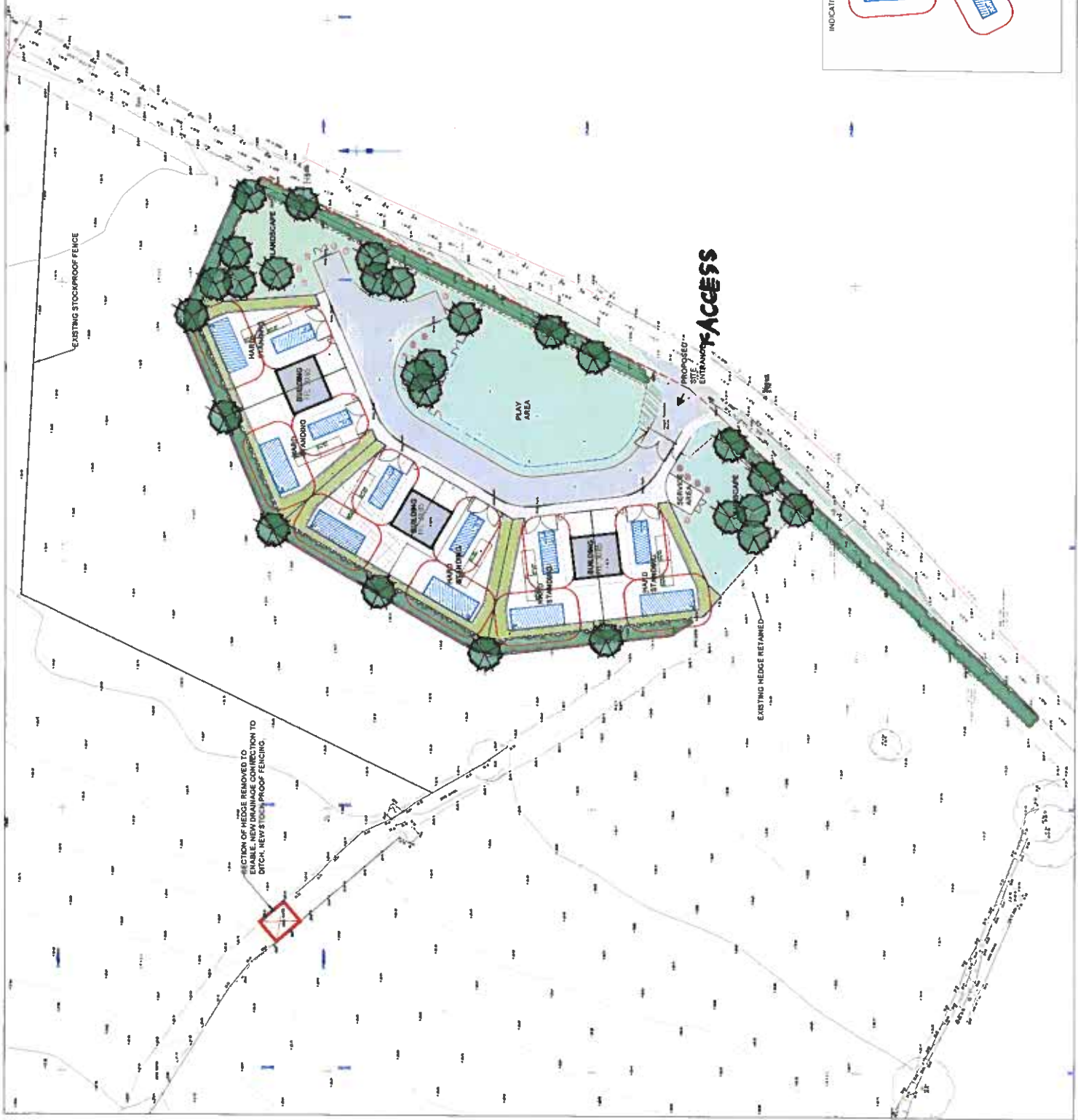
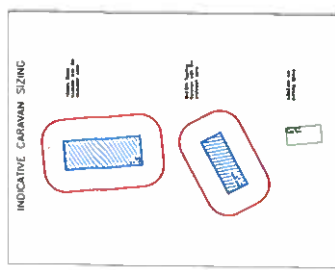
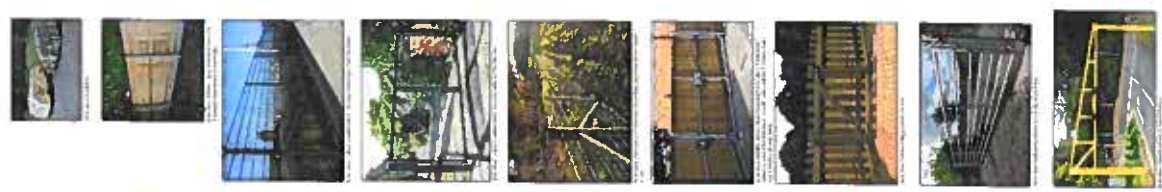
Scale: 1:500

Date: 10/05/2018

Drawn: [Signature]

Checked: [Signature]

Approved: [Signature]



AMENITY BLOCK DETAIL

DO NOT SCALE DRAWING

KEY TO MATERIALS

- 1.0 - Blue/Grey Man Made Slate Roofing
- 2.0 - White Roughcast Render
- 3.0 - Buff Natural Stone Facing
- 4.0 - PV/Solar Panels
- 5.0 - Grey Colour coated Rooflights
- 6.0 - Grey Colour coated metal gutter & downpipes
- 7.0 - Grey Colour coated metal framed doors & windows.

Rev	Description	Date
A	Pre-planning submission	15.10.18
B	Planning submission	26.09.19



Dylunio, Arallodwrth a Cynhaliaeth
Design, Construction &
Maintenance

PROJECT
Green Gales Farm (East)
Proposed Gypsy & Traveller Residential
Site

TITLE
Amenity Block -Floor Plan &
Elevations as proposed

DRAWN BY	CHECKED BY	DATE
PA	Checker	10/09/18
SCALE (@ A1)	PROJECT NUMBER	REV
1:50	PA_18_401	B
DRAWING NUMBER		
A111		

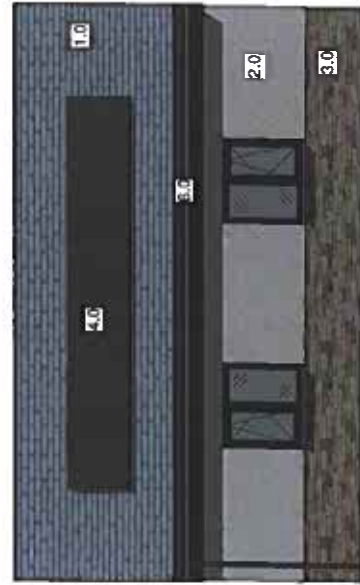
27/09/2019 10:37:54



2 Rear
1:50



4 Side (RH)
1:50



5 Front
1:50



3 Side (LH)
1:50



1 Floor Plan
1:50

WARD :	St Asaph West
WARD MEMBERS:	Cllr Peter Scott
APPLICATION NO:	46/2019/0792/PF
PROPOSAL:	Change of use of land to residential Gypsy and Traveller site to include 3 semi-detached amenity blocks with associated hardstanding access road and landscaping
LOCATION:	Land off Cwtir Lane, Formerly part of Green Gates Farm, St Asaph
APPLICANT:	Corporate Director – Communities, Denbighshire County Council
CONSTRAINTS:	PROW
PUBLICITY	Site Notice – Yes
UNDERTAKEN:	Press Notice – Yes Neighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received
- Application submitted by Corporate Director
- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

ST ASAPH CITY COUNCIL

First response-

"St Asaph City Council objects for the following reasons:

- Loss of greenfield site;
- No access on footpaths towards amenities in city centre;
- This is on a one-way street. If there is an emergency, access for emergency services would be restricted;
- Lack of lighting along Cwtir Lane;
- The results of petitions carried out and submitted to Denbighshire County Council last year shows there is a fear of crime."

Second response-

"The City Council would like to add the following objections to their response to this Planning Application:

1. The process to find a suitable site was flawed from the start as the methodology was not robust enough to locate the correct location.
2. DCC's inability to follow due process and provide sufficient transparency to residents re this development.
3. Pedestrian routes to the local amenities are not safe due to the lack of footways.
4. DCC's policy for the reduced cutting of grass verges is being directly opposed by the removal of 180 metres of hedgerows which will reduce the wildlife habitat.
5. The proposed site will increase the community by over 100% and dominate the area of open countryside.

6. The proposal has been to 2 Scrutiny Committees who have now requested that County Councillors are given more information with regards to Large Local Developments.
7. The Mayor Cllr Peter Scott believes the proposed site should not go ahead at this site and be referred back to the new LDP for future consultation."

CEFN MEIRIADOG COMMUNITY COUNCIL

"Cefn Meiriadog Community Council objects to the subject planning application and plans for the following reasons:-

Planning Policy / Local Development Plan

The site itself is contrary to multiple policies;

The proposed site is contrary to the adopted Local Development Plan (LDP) (2006-2021), it is located outside of the established settlement boundary contrary to the policy [BSC 10.2].

Use of greenfield sites for development should be strongly avoided &/or strictly controlled, in favour of brownfield or previously developed sites — which has been ignored by Denbighshire County Council. [PPW Edition 10]

Sites should be located within and adjoining existing settlements (where accommodating infrastructure, access, habitat and landscape conservation). [PPW Edition 10, Chapter 4]

The site is an integral part of the local open countryside, which is afforded protection [PPW, TAN 5 & RD1]

Process

Findings from the Call for Sites (public suggestion submissions) has not been published, potentially disregarding alternative suitable sites.

Lack of evidence to support the genuine need for this site. The GTAA (2017) conducted on behalf of Denbighshire County Council is not capable of independent scrutiny and therefore lacks credibility and robustness. [GTAA 2017]

Lack of evidence to demonstrate this is the correct location; the onus is on the Council to justify the proposals are acceptable and the correct site has been selected, especially as this is contrary to the council's adopted policy.

Gypsy and Traveller community and the wider community should have been engaged with more thoroughly at the outset of the process (in line with WG Policy). [WAG Policy]

Highways and Roads

Key facilities/amenities are inaccessible by foot from the site; driving would be required. [TAN 18]

Pedestrians routes are not safe and not fully inclusive; no pavements/footpaths or lighting. The lane is 60mph which increases the danger for pedestrians. [TAN 18]

This site would increase the overall traffic on the lane by an estimated 100%. Effecting the safety and amenity of local residents, walkers, cyclists and the site's residents.

There is no easily accessible public transport for the site (a site requirement) and to access the nearest would require using the pedestrian unfriendly Cwttir Lane. [BSC10.2]

Cwttir Lane is a cul-de-sac, narrow and difficult for two vehicles to pass each other, particularly for larger vehicles; caravans, agricultural traffic, commercial trucks/vans, etc.

No direct link to the A55; increased traffic would need to be routed through St Asaph or the St Asaph Business Park.

Local Amenities

The increase in population from the site will put additional pressure on local facilities/services, for example; local schools have not been consulted about a potential sudden increase in their student population.

No suitable pedestrian access (including appropriate provision for special access/mobility requirements) to local

amenities for the site residents; shops, schools, etc.

Environment Impact / Visual Amenity

Detrimental impact on the area's rural character [LDP Policy RD1]

The proposed site does not respect the site and surroundings, including scale, form, character, design and materials. [PPW 4.7.8 and LDP Policy RD1]

Site doesn't respect the rural character of the area and could lead to further urbanisation, including development on greenfield sites contrary to local/national policies, setting a precedent for other developments. [RD1 and BSC 10.4 and PPW]

The increased population of the lane would increase pollution exponentially; air, noise, light, drainage, litter and

other materials — further spoiling the visual amenity and sense of open countryside. [BSC 10.4]

The site will reduce the habitat for local wildlife, such as; badgers, newts, rabbits, foxes, bats, dormice, butterflies, otters, birds and others — which would have a detrimental impact on the ecosystem. [TAN 5]

Removing 180 metres of hedgerows in spite of Denbighshire County Council's countryside service's efforts to support wildlife and bio-diversity.

Other

Proposed site should be dealt with through the replacement local development plan process.

DCC's inability to follow due process and provide sufficient transparency to residents in relation to this development and is contrary to the 'Designing Gypsy and Traveller Sites' guide.

The proposed development would dominate, in terms of size and scale, the area of open countryside and the nearby settled community of Cwttir Lane. [LDP Policy RD1]"

NATURAL RESOURCES WALES

No objection.

Recommend inclusion of a condition requiring implementation of the Ecological Report

Recommendations if the Planning Authority are minded to grant.

DWR CYMRU / WELSH WATER

No objection.

Recommend inclusion of condition relating to drainage details if the Planning Authority are minded to grant (no surface water is permitted to connect to mains sewerage).

CLWYD POWYS ARCHAEOLOGICAL TRUST

There are no archaeological implications for the proposed development.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

- HIGHWAY OFFICER

No objection.

The Highway Officer has given consideration to the issues and has offered no objections to the application.

Consideration has been given to the capacity of the existing network and the key points are that; the observed speeds recorded on Cwttir Lane would appear to be significantly less than the 60 mph speed limit. Speed data and traffic counts have been provided in the Transport Statement. Vehicles of a similar type and dimension regularly use the local highway to access the local farms at the end of Cwttir Lane. Whilst the development would result in a 100% increase in traffic flow over a 24 hour period, this equates to 8 vehicle movements per hour. As the existing traffic flow on the lane is light, this should not have a significant impact on the lane which would result in a negative impact on highway safety. Furthermore the increase in volume of traffic generated by the development is likely to be imperceptible amongst the existing traffic and should have minimal impact on the wider road network heading east and west along Glascoed Road.

Taking into account the road width, condition and existing and proposed passing places of Cwttir lane, it is considered there is capacity on the road to accommodate the vehicle movements associated with the use.

A Road Safety Audit has been undertaken by an independent auditor and has identified no highway safety concerns. The Road Safety Audit confirms that the road is suitable for the development of the permanent Gypsy and Traveller Site. Personal Injury Accident data has also been analysed for the most recent five-year period available. The accident data does not indicate any inherent road safety issues with the existing roads and junctions.

An assessment of the accessibility of the site by non-car modes of transport has been provided in the Transport Statement. In noting the concerns raised in relation to a lack of pavements or footpaths for pedestrians, this is not uncommon for rural country lanes throughout the county leading to developments of a similar scale. Whilst the route is subject to the national speed limit, observed speeds according to speed surveys undertaken are significantly lower. The minor road to St Asaph known as Heol Esgob along with Cwttir Lane are recognised as part of the regional cycle routes in Denbighshire and are used regularly by cyclists.

The access from Cwttir Lane onto the B5381 (Glascoed Road) is an established junction with good visibility and has benefited from recent improvements. The proposed site access

arrangements demonstrate compliance with the visibility standards set out in Annex B TAN 18 and are therefore considered to be acceptable. In terms of the internal site layout having regard to the details it is considered that the on-site highways arrangements are acceptable. It is recommended that a condition be included on any permission requiring a Construction Management Plan.

ECONOMIC AND BUSINESS DEVELOPMENT OFFICER

Aware of local businesses concerns but no evidence to suggest there will be negative impacts on the Business Park.

PUBLIC PROTECTION OFFICER

No objection.

Recommends inclusion of conditions relating to; restricting uses on site, noise, lighting and refuse arrangements if the Planning Authority are minded to grant.

COUNTY ECOLOGIST

No objection.

Recommends inclusion of conditions relating to Great Crested Newt reasonable avoidance measures, lighting, Bird nesting season and native hedge planting if the Planning Authority are minded to grant.

FLOOD RISK ENGINEER

No objection.

Proposal will be subject to SAB approval.

STRATEGIC HOUSING AND POLICY OFFICER

The Local Development Plan has a policy specifically in relation to proposals for Gypsy and Traveller Sites – Policy BSC10.

In relation to the detailed Policy BSC 10 criteria:

- i. the site is not situated within the designated areas;
- ii. the site is located outside the settlement of St Asaph. Therefore it must be tested whether the proposed location is on the outskirts of the settlement with access to a range of facilities and services.
The policy does not define 'on the outskirts' nor stipulate a location adjacent to the settlement boundary. For this reason, 'outskirts' is assessed in line with the provisions set out for 'the walkable neighbourhood' in Welsh Government, Communities and Department for Transport 'Manual for Streets' (2007), paragraph 4.4.1. It states that "Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS134 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km." This approach also enforces Planning Policy Wales (Edition 10), paragraph 4.1.11, which stipulates the prioritisation of walking and cycling over individual car based trips in new developments.
Using an OS based map 1:10,000 the distance between the application site and the central part of St Asaph (i.e. Bridge/ War Memorial/ Bus Shelter) is 1.5km via Cwtir Lane and Heol Esgob. It is 0.9km from the proposed site to Tan y Bryn and 0.7km to St Asaph Business Park.
- iii. The proposal makes suitable provision for on-site play space, storage and parking; as seen on the submitted plans provision is made for onsite play space, parking and storage.
- iv. the proposal is not considered to be detrimental to the amenity of occupiers of adjacent properties; the supporting documents to the planning application acknowledge a neutral rather than positive impact of the proposed development on the local community and well-being of residents, however the policy criteria is linked to detrimental effects.

Policy Officers conclude there are no significant policy conflicts, and recommends development contributions are provided in line with planning policy requirements.

TREE CONSULTANT

No objection.

Recommends inclusion of conditions if the Planning Authority are minded to grant. Main comments:

"The visual impact of the proposed development is expected to be limited with most of the detrimental effect occurring during the period between commencement of development and prior to the establishment of new planting. Relative to the local landscape the development is small in scale and contained, however it is recognised that the appearance and layout of the site will not reflect the other buildings and properties nearby. As a result the development could look out of place despite its scale. To mitigate this it is advised that details for the site's hard and soft landscaping are carefully considered.

Taking into account the above considerations I do not object to the application subject to suitable planning conditions to cover hard and soft landscaping, and the provision of updated details to safeguard the trees."

Other responses

BETSI CADWALADR UNIVERSITY HEALTH BOARD

Acknowledges that there are existing pressures upon health services within the area, some of which are already experiencing capacity issues. This includes for example Emergency Department at Ysbyty Glan Clwyd, Women's and Children's services and other specialties, GP practices and local community services.

However, following further clarification of the outputs of the site-specific impact assessment which was undertaken, in partnership and with input from Health Board and Public Health Wales representatives, note that this assessment identified no adverse health impacts from the development of the residential site.

NORTH WALES POLICE DESIGNING OUT CRIME OFFICER

No objection.

There is nothing in the layout which would foreseeably impact on crime and disorder.

NORTH WALES POLICY DIVERSITY UNIT

"From the perspective of North Wales Police, We confirm we have not received any significant concerns or tensions which would be relevant to any Planning Application decision. We will remain impartial to this process as with other planning applications."

WESLH GOVERNMENT AGRICULTURAL LAND USE AND SOIL POLICY ADVISOR

Confirm land value as ALC Subgrade 3b.

WELSH GOVERNMENT DEPARTMENT FOR ECONOMY AND INFRASTRUCTURE (Trunk Roads)

Holding direction issued on original detail owing to concerns over the impact of noise from the A55 Expressway on the Occupiers of the site.

CAMPAIGN FOR THE PROTECTION OF RURAL WALES

Object to the proposal on the grounds that it fails to enhance the biodiversity of the site in conflict with PPW 10.

RE-CONSULTATION RESPONSES (IF RELEVANT)

WELSH GOVERNMENT DEPARTMENT FOR ECONOMY AND INFRASTRUCTURE (Trunk Roads)

Taking in account the re-consultation and clarification of information regarding the noise assessment the holding direction is lifted. Direct the inclusion of a condition if the Planning Authority are minded to grant to ensure the noise mitigation measures identified in the Planning Design & Access Statement Revisions 3, September 2019 are erected with an appropriate future planned maintenance regime adopted to ensure the long-term integrity of the fencing.

PUBLIC PROTECTION OFFICER

Having assessed the additional information on noise would agree with the suggested condition contained in the recommendation.

RESPONSE TO PUBLICITY:

In objection

In summary, a total of 1712 Representations have been received in objection. Of these:

48 are individually composed letters /Non Template Objections

14 Template Objections

395 Proforma Template Objections with Comments

1255 Proforma Template Objections with no Comments

The list of the persons who have submitted representations is included in Appendix 1.

A copy of a blank Proforma Template Objection is included as Appendix 2.

Following scrutiny, 168 Representations have not been acknowledged, published, or listed in Appendix 1. Of these:

71 contained unacceptable comments as defined in the Council's Consultation letter (included in Appendix 3)

62 contained incomplete names/ address

12 stated 'do not disclose' but provided no reason for this

9 were submitted potentially fraudulently (addressees contacted the Council on receipt of acknowledgement letters to advise they had not made representations)

13 acknowledgements were returned by the Royal Mail ('addressee does not exist/ gone away').

Summary of planning based representations in objection:

Proposal is contrary to Planning Policy-

- Site outside the development boundary therefore proposal would be contrary to rural restraints policy.
- In terms of BSC 10 the site is not on the outskirts of the development boundary.
- There is no identified need for the development/ need data provided is disputed.
- Alternative site assessment is considered questionable.
- LDP policy against Static Caravan Sites (PSE 12) should be applied to this development.
- Proposal is contrary to national policy.
- DCC has not followed WG Guidance in carrying out the assessment of accommodation need.
- Development is premature and site should be delivered through the LDP process.

Access/Highway Safety

- Limited access to the site from St Asaph.
- Cwtir Lane and Heol Esgob are narrow roads and problematic for larger vehicles passing each other and pedestrians owing to lack of footways.
- Access roads are of insufficient standard (suffering from subsidence), ditches are overgrown, and there is no street lighting.
- Proposal will result in 100-200% increase in traffic on substandard roads.
- Roads are liable to flooding.
- Roads are used by local farmers rounding up animals, increased traffic would deter them.
- Roads are well used by pedestrians and cyclists, increasing use of the lane will be hazardous.
- Site is not within acceptable walking distance from the town centre and local schools.
- Restricted width of the road and additional traffic will hinder emergency access.

Drainage

- Insufficient drainage detail submitted, Drainage Report is an outline strategy only.
- Capacity of public sewerage system in St Asaph.
- Site drainage is an issue, linking surface water to existing field drainage would be problematic and potentially polluting.
- Petrol/oil interceptors are not effective/ have maintenance issues.
- Additional hard standing on the site would lead increased surface water flooding in the area.

Ecology

- Protected species (i.e. GC Newts) have been recorded in the area, potential harm could not be mitigated.
- Drainage proposals would have an impact on ecology by pollutants entering the area from French drains.
- Proposal would impact on general biodiversity interests in the area.
- Removal of 180 metres of hedgerow would have a detrimental impact on the area/biodiversity.

Visual Amenity/ Landscape Impact

- Proposal would be out of keeping with the local area.
- Proposal have an unacceptable and urbanising impact on the character and appearance of a rural area.
- Fencing and barrier inappropriate in rural setting.

Residential Amenity

- Impacts of the development on residential amenity by virtue of increased activity on the site/lane and the noise/disturbance associated with this.
- Impact on the amenity of neighbouring occupiers 'as consequence of personal circumstances of family member'.
- Light pollution would increase.
- Potential for noise disturbance from development.

Planning History

- Permission for development on adjacent site was refused in 1998.

Process

- Application process was not transparent.
- Application submission is invalid.
- Call for sites has not been publicised, lack of evidence to support need, lack of evidence to justify location, public engagement lacking.
- Local Authority are the Applicant and Decision maker.

Precedent

- Proposal would set an inappropriate precedent in the area for new development and definitions of 'adjoining' the settlement.

Fear of Crime

- Proposal may impact on crime and disorder in the area.

Local amenities

- Site is not close to public transport routes.
- Site is not serviced by mains gas.
- Plans do not show mains water.
- Occupiers of school age will have to be taxied to school.
- Local Facilities are at capacity- Doctors and Hospital, Schools and Fire Service.

Economic Development/Business Impact

- Business Impact Assessment submitted in support of the application is not comprehensive.
- Business Impact Assessment submitted in support of the application is not an objective assessment.
- Proposal will have an impact on the activities of businesses on the St Asaph Business Park. The area will become less attractive to investors and potential employees on the business park.
- Implications for North Wales Growth Deal.
- Employment Land and Economic Access carried out for the LDP details that commercial agents are already emphasising the negative impact on demand at the business park due to the proposal.
- Proposal would have a negative impact on the local economy in St Asaph.

- Proposal would have a negative impact on the tourism in the locality.

Use of High Quality Agricultural land

- Alternative sites exist.
- Brownfield sites should be considered.

Proposal would lead to a loss of a viable farm business.

Site management proposals are aspirational, are they enforceable?

In support

Representations received from:

Paul Mitchell, 1 Bryn Elwy, St Asaph

Summary of planning based representations in support:

If permitted proposal will promote tolerance.

EXPIRY DATE OF APPLICATION: 31/10/2019

EXTENSION OF TIME AGREED? 12/02/2020

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application description is the "Change of use of land to residential Gypsy and Traveller site to include three semi-detached amenity blocks with associated hardstanding, access road and landscaping".
- 1.1.2 The site is on Cwtir Lane, off Glascoed Road, west of St Asaph.
- 1.1.3 The detailed location of the site and basic plans illustrating the proposals are attached to the front of the report.
- 1.1.4 Factually, in relation to the individual elements of the application, the scheme comprises the following:-

The application site, which is a parcel of land measuring 0.62 hectares in area.

A six plot development arranged in a crescent shape, fronting a play area within the site. Each plot comprises of a hard standing with concrete paving on which there would be one static caravan and one touring caravan pitch, along with parking for two vehicles. Each individual plot would be bounded within the site by timber close boarded fencing with a gateway for access. The amenity buildings (detailed below) would be sited centrally within each pair of plots.

The three proposed amenity buildings are shown as single storey structures with a gross internal floorspace of 56 metres². Each amenity building has a semi-detached configuration (as a single amenity block serves two pitches), each side of the amenity building would be self-contained, incorporating a cooking/dining area, a store and a bathroom. The rooms of the amenity building would all be accessed from outside. The proposed external materials are shown as buff natural stone and render on the walls, and natural slate on the roofs with a solar array on the front roof plane. The ridge height of the buildings scale off the plans at 6.6 metres.

The access to the site would be from a new widened entrance off Cwttir Lane, designed to comply with relevant highway standards. To facilitate the access and visibility splay a section of hedgerow either side of the access is proposed to be removed (approximately 150 metres in total). A new boundary of native hedging set back from the road would be planted. Plans also show the proposal to have a Height Restrictor Barrier on the access to the site to prevent larger vehicular access from non-residents.

A service area is shown adjacent to the access.

The central play area and areas around the plots would be laid out in accordance with a landscaping/planting strategy, details of which have been annotated on plan but have not been fully detailed.

Boundaries to the site would be defined by stockproof fencing on the agricultural land side, inside which there would be hedgerow and inside that an internal 2 metre high mesh security fence. The boundary to the roadside would also be supplemented with a 2 metre mesh security fencing behind the existing and proposed hedgerows.

Drainage pipeline running north west of the site to point of discharge into an existing watercourse/ditch.

Two passing places are proposed to be introduced along the highway as part of the development. These would be within the highway on the western side of Cwttir lane on the approach to the site from Glascoed Road.

Information in the application form and supporting documents indicates disposal of foul water would be to mains drainage and surface water being discharged to an existing drainage ditch some 38m to the west of the site. The surface water drainage details would be subject to SAB approval.

1.2 Other relevant information/supporting documents in the application

1.2.1 The application has been submitted by the Lead Officer for Property and Housing Stock, on behalf of Denbighshire County Council Corporate Director for Communities.

1.2.2 There is a considerable volume of background information in the application documents. These have been subject to consultation and publicity.

1.2.3 The following documents have been submitted as part of the application:

- Planning, Design and Access Statement
- Pre-application Consultation Report Version 3
- Preliminary Ecological Appraisal and Protected Species Surveys- Enfys Ecology Report
- Arboricultural Report
- Site Investigation Report
- Flood Consequences Assessment and Outline Drainage Strategy
- Transport Statement
- Stage 1 and 2 Road Safety Audit
- Impact review – Proposed Gypsy and Traveller Site
- Gypsy and Traveller Mythbuster Leaflet
- Statement from the Family identified with need for Gypsy and Traveller Accommodation
- Copy of Environment Impact Assessment Screening Letter

1.2.4 In support of the application, the Applicants have advised:

- In 2017 Denbighshire County Council Cabinet agreed to submit the Denbighshire Gypsy and Traveller Accommodation Assessment (GTAA) to Welsh Government.

- Welsh Government approved the Denbighshire GTAA in March 2017.
- In relation to this proposal, the GTAA identified that there is a need in the county for a permanent residential site for 5-6 pitches for an extended family residing in Denbighshire.
- There are currently no Gypsy and Traveller sites providing culturally suitable accommodation for Gypsies and Travellers in Denbighshire.
- In order to identify a suitable site Denbighshire County Council undertook the following:
 - Reviewed all local authority owned land;
 - Issued a Public Call for Land/Sites;
 - Wrote directly to over 300 relevant parties including landowners, agents and town and community councils.
- All potential sites were then appraised against planning requirements, Welsh Government guidance and viability/deliverability considerations.
- Denbighshire County Council Cabinet initially approved the development of the preferred location to Planning Application Stage on 24th April 2018.
- Then following consideration of the feedback received during the Pre Planning consultation process, reaffirmed the approval to progress with the Residential Gypsy & Traveller site on the 26th March 2019.

For purposes of clarity:

- The definition of 'Gypsies and Travellers' is contained within section 108 of the Housing (Wales) Act 2014. Gypsies and Travellers mean:
 - (a) Persons of a nomadic habit of life, whatever their race or origin, including
 - (i) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and
 - (ii) Members of an organised group of travelling show people or circus people (whether or not travelling together as such); and
 - (b) All other persons with a cultural tradition of nomadism or of living in a mobile home.
- Welsh Government has national guidance on what should be included in the design of Gypsy and Traveller sites. All sites should provide toilet, washing and refuse facilities, with residential sites making provision for food preparation.
- Page Six of "Designing Gypsy and Traveller Sites – Welsh Government Guidance" sets out some of the benefits of providing appropriate sites for the Gypsy and Traveller community, including access to education and healthcare facilities. Most fundamentally, many more Gypsies and Travellers will be able to access culturally appropriate accommodation. This pays due regard to Human Rights case law and supports Objective 6 of the Welsh Government's Strategic Equality Plan by reflecting the needs of those with protected characteristics in meeting housing needs.
- The optimum number of residents that the site would accommodate is estimated to be 20.
- The site will be managed by the Council's Community Housing Service and each adult member of the extended family would have to agree to a tenancy with the Council under the Mobile Homes (Wales) Act 2013 Pitch Agreement which sets out clear obligations of the tenant in regards to; the number of mobile homes allowed on the site, the need to ensure they do not cause

excessive noise that may disturb neighbours, they do not operate any form of commercial business from the site, that they pay the rent when due, along with other clauses relating to antisocial behaviour, overcrowding, service charges etc.

1.3 Description of site and surroundings

- 1.3.1 The site is located on part of an agricultural estate owned by the Council known as Green Gates Farm.
- 1.3.2 The site is relatively flat, and bounded by hedgerows along the roadside frontage and a field boundary of fencing and hedgerows to the south and west.
- 1.3.3 Cwtir Lane runs along the east side of the site with agricultural land on all other sides. Cwtir Lane is a 1km long access road serving Green Gates Farm and other farm and residential properties. The lane has no street lighting or footway and is subject to the national speed limit of 60mph. Cwtir Lane is connected to St Asaph via two routes; Glascoed Road and Heol Esgob. Heol Esgob is closed to vehicles except for access and forms part of a local cycle route. Glascoed Road is a main route from St Asaph City centre to the west.
- 1.3.4 Running parallel with the site, approximately 300 metres to the north, is the A55 Expressway. There is no vehicular access to the A55 from Cwtir Lane.
- 1.3.5 There are residential dwellings in the vicinity of the site. On the opposite side of the road to the northern end of the site is Pen Y Bryn Boderw Farmhouse. Approximately 70 metres south of the site there is a residential property Bryn Coed and further north there are a group of dwellings close to the A55.
- 1.3.6 The St Asaph Business Park, a well established and allocated employment area, lies to the west of the site. The former Pilkington's factory site/employment land bounds the western side of Cwtir Lane (where the passing places are proposed). There is also a gas transfer station, sewage pumping works and substation/transformer site accessed off the lane.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site is in open countryside for the purpose of planning policy considerations. It has no specific allocation/designation in the Denbighshire Local Development Plan and does not lie within any development boundary on the proposals maps.
- 1.4.2 The Agricultural Land Quality classification for the site is Subgrade 3b.
- 1.4.3 There are no known wildlife or other environmental designations which directly affect the application site.
- 1.4.4 There are no public footpaths affecting the site, the closest public footpath is opposite the site running eastwards to St Asaph.
- 1.4.5 The site is not within a Green Barrier. This designation applies to some areas in the Local Development Plan but not to land in the vicinity of the site itself.

1.5 Relevant planning history

- 1.5.1 There is no recent relevant planning history on the site.

1.6 Developments/changes since the original submission

- 1.6.1 There have been no material changes to the proposals since the submission of the application in September 2019.
- 1.6.2 The Applicant's Agents provided supplementary information in January 2020 to address queries raised by the Welsh Government Trunk Road Authority, in the form of

an Acoustic Report which assessed noise from traffic on the A55 Expressway. This report concluded that:

- The existing site (without any proposed structures) falls into the Low risk category under ProPG, with the south of the site falling into TAN 11 NEC A and the remaining area of the site falling into NEC B.
- The proposed buildings and 1.8m close-boarded timber fencing to side boundaries (i.e. between adjacent amenity blocks) will inherently provide some acoustic screening to the site. The majority of the site (to the centre/east) will benefit from up to a 1 dB reduction in noise levels, and some areas to the south of the site (and south of the buildings) benefitting from a 2 to 3 dB reduction in noise levels. However, we do not believe this reduction in noise levels is essential due to the low risk existing noise levels.
- From an acoustics perspective, a noise barrier around the perimeter of the site would not be necessary in this instance given the minimal reduction in noise levels achievable (a change of less than or equal to 2 dB is likely imperceptible under normal listening conditions) and marginal occasional exceedance of the guideline levels. In relation to TAN 11, a site perimeter noise barrier that provides negligible acoustic benefit could be interpreted as 'placing unreasonable restrictions on the development or adding unduly to the costs and administrative burdens of business'.
- Whilst BS8233:2014 provides a guideline noise level of 50 dB LAeq,T that is desirable for external amenity areas, it provides an upper guideline value of 55 dB LAeq,T and acknowledges that these guideline values are not achievable in all circumstances where development might be desirable. It is uncommon for there to be a requirement from the Local Authority for developments to achieve 50 dB LAeq,T in all external amenity spaces all of the time, and it is our understanding that there are no adopted policies which require this in this instance. It should also be noted that for this site it is not possible to achieve this external lower guideline noise level at all times without impractical means of mitigation (e.g. 12 metre high imperforate perimeter fencing).
- The development is located to the south-east of the overall site to reduce the effect of noise from the A55 as much as possible. Due to the intended use of the site (for the use of Gypsies and Travellers), it is intrinsically beneficial for the site to be located near to the strategic transportation network, and, as such, BS8233 states the following: "In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited."
- In our opinion, the current proposals lower the noise levels as far as practicable, and the occasional marginal exceedances above the guideline values are not likely to adversely effect the amenity of the site.
- The proposals are considered to follow good acoustic design principles. Therefore, there should be no reason to refuse planning on this site on noise grounds.

1.7 Other relevant background information

1.7.1 History of proposals for Gypsy and Traveller Sites on Cwttir Lane

Members will be aware that prior to the submission of the planning application, the Council (as applicants) undertook a public consultation exercise on proposals to provide two Gypsy and Traveller Sites off Cwttir lane, in the form of a Transit Site and

a separate Residential Site. Following the consultation exercise, it was decided that the Council would only proceed with the Residential Site (this application), and the transit site would be allocated through the Local Development Plan process. The results of this pre-application consultation exercise are included in the planning application documents in the "Pre-application Consultation Report Version 3".

2. DETAILS OF PLANNING HISTORY:

2.1 None.

3. RELEVANT POLICIES AND GUIDANCE:

The main relevant planning policies and guidance are considered to be:

3.1 Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

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

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC10 – Gypsy and traveller sites

Policy BSC11 – Recreation and open space

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

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: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Recreational Public Open Space

Supplementary Planning Guidance Note: Trees & Landscaping

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

Welsh Government Guidance - Designing Gypsy and Traveller Sites 2015

Technical Advice Notes

TAN 5 Nature Conservation and Planning (2009)

TAN 6 Planning for Sustainable Rural Communities (2010)

TAN 11 Noise (1997)

TAN 12 Design (2016)

TAN 18 Transport (2007)

Circulars

WG Circular WG Circular 005/2018 - Planning for Gypsy Traveller and Showpeople Sites

WG Guidance Designing Gypsy and Traveller Sites May 2015

WG, Communities and Department for Transport 'Manual for Streets' (2007)

3.3 Other material considerations

Wellbeing of Future Generations (Wales) Act 2015

Housing (Wales) Act 2014

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 Consideration against Policy BSC10
- 4.1.3 Existing need for the Gypsy and Traveller residential site
- 4.1.4 Site selection issues
- 4.1.5 Visual amenity/landscape
- 4.1.6 Residential amenity
- 4.1.7 Ecology
- 4.1.8 Drainage (including flooding)
- 4.1.9 Highways (including access and parking)
- 4.1.10 Open Space
- 4.1.11 Inclusive design
- 4.1.12 Pollution
- 4.1.13 Noise
- 4.1.14 Fear of crime
- 4.1.15 Impact on Welsh Language and Social and Cultural Fabric
- 4.1.16 Agricultural land quality
- 4.1.17 Impact on local services
- 4.1.18 Impact on Site Asaph Business Park and the Local Economy

4.2 In relation to the main planning considerations:

4.2.1 Principle

The Housing (Wales) Act 2014 places a legal duty upon local authorities to ensure that the accommodation needs of Gypsies and Travellers are properly assessed and that the identified need for pitches is met. Local authorities are required to exercise their powers under section 56 of the Mobile Homes (Wales) Act 2013, as far as necessary, to ensure Gypsy and Traveller sites are provided for any unmet need.

Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites, June 2018 reflects provisions contained in the Housing (Wales) Act 2014 to ensure local authorities meet the accommodation needs and provide sites for Gypsies and Travellers through the planning system. It outlines how planning authorities and Gypsies and Travellers can work together to achieve this aim.

Planning Policy Wales Section 4.2.35 states Local authorities are required to assess the accommodation needs of Gypsy and Traveller families and to allocate sites to meet the identified need. Where a Gypsy and Traveller Accommodation Assessment (GTAA) identifies an unmet need, a planning authority should allocate sufficient sites in their development plan to ensure that the identified pitch requirements for residential and/or transit use can be met.

The Denbighshire Local Development Plan was adopted in 2013 and hence preceded the introduction of the Housing (Wales) Act 2014. The Plan has a policy specifically in relation to proposals for Gypsy and Traveller Sites – Policy BSC10. This is worded as follows:

Proposals for gypsy and traveller caravan sites (including mixed residential and business sites) will be permitted provided the following criteria are met:

- i. the site is situated outside the Area of Outstanding Natural Beauty, Green Barriers and the Pontcysyllte Canal and Aqueduct World Heritage site (including the buffer zone); and*
- ii. the site is located within or on the outskirts of an established settlement boundary with access to a range of facilities/services (including schools), public transport and main transport routes; and,*
- iii. the proposal makes suitable provision for on-site play space, storage and parking; and,*
- iv. the proposal would not be detrimental to the amenity of occupiers of adjacent properties.*

The supporting text to the policy states that sites in other locations will only be permitted where it is demonstrated that sites within or on the outskirts of an established settlement boundary are not available and all the above criteria are met.

In summary, there are planning policies at local and national level specific to consideration of Gypsy and Traveller site proposals. Planning Policy Wales is clear that development in the countryside should be strictly controlled with an emphasis on due consideration of sustainability principles and local impacts. Officers' opinion is that in the context of PPW and the LDP, the *principle* of the development in this location is not precluded by policy and guidance, and may be acceptable subject to assessment of relevant and more detailed planning considerations. These are set out in the following sections of the report.

4.2.2 Consideration against Policy BSC10

As can be seen above Planning Policy BSC 10 Gypsy and Traveller Sites is the most appropriate policy to consider the application under.

Whilst national and local policies restrict development in the open countryside there are exceptions to the general rural restraints policy in the Local Development Plan. Policy BSC 10 is one of these exceptions as it permits development on the outskirts of settlements specifically for Gypsy and Traveller sites.

In relation to the detailed policy BSC 10 criteria as set out in para 4.2.1 above, Officers views are as follows;

- i. the site is not situated within any designated areas;
- ii. the site is located outside the settlement of St Asaph. However, in accordance with this Policy criteria Officers consider the site to be on the 'outskirts' of the established settlement. As per the Planning Policy Officers advice (within the CONSULTATION RESPONSE section at the start of this report), the term 'outskirts' is assessed in line with the provisions set out for 'the walkable neighbourhood' in Welsh Government, Communities and Department for Transport 'Manual for Streets' (2007), paragraph 4.4.1. Within this document it states that "Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit... and states that walking offers the greatest potential to replace short car trips, particularly those under 2 km." This approach also enforces Planning Policy Wales (Edition 10), paragraph 4.1.11, which stipulates the prioritisation of walking and cycling over individual car based trips in new developments.

In relation to the interpretation of 'outskirts' above it is noted that the following local services and facilities are within a 2km radius of the site:

- Penrhewl Post Office and Convenience Store which is located approximately 1km from site on Heol Esgob

- Applegreen /Seaways Service Station approximately 1km from the site on the Roe
- Co-op Foodstore approximately 2km from the site on Lower Denbigh Road
- Pen Y Bont Surgery and Pharmacy located approximately 1.2km east on the Roe
- Esgob Morgan Primary School approximately 1km to the east of the site on Ffordd Siarl
- Ysgol Glan Clwyd Secondary School approximately 2km from the site on Upper Denbigh Road
- Bus stop approximately 850 metres south of the site on Glascoed Road
- The site is located on a local cycle route linking St Asaph to St Asaph Business Park/Bodelwyddan (via Hoel Esgob, or the cycleway along the A55 to Cwttir Lane)
- Employment opportunities within 2 km of the site at St Asaph Business Park and St Asaph centre

Given the location of the application site in relation to the aforementioned facilities (both within St Asaph itself and the Business Park) which include shops, health centre, primary school and bus stops, in Officers opinion the site location is accepted as being on the outskirts.

iii. The proposal makes suitable provision for on-site play space, storage and parking; as seen on the submitted plans provision is made for onsite play space, parking and storage.

iv. The proposal is not considered to be detrimental to the amenity of occupiers of adjacent properties; as discussed further below the impacts on adjacent occupiers are not consider to be so significant to warrant refusal of the application.

Officers are clear that the relevant LDP Planning Policy against which to assess the proposed development is Policy BSC 10. This is the specific policy which deals with proposed Gypsy and Traveller sites. It is acknowledged that the proposed development would introduce static/touring caravans to the site and that another Policy within the LDP (Policy PSE 12) is of relevance to tourism type developments which propose to introduce such caravan structures to a site. Representations have been received objecting to the proposal on the grounds that the development is in conflict with Policy PSE 12 of the LDP. The proposed development is not for a tourism use and so Officers do not consider it appropriate to assess the Gypsy and Traveller proposal against Policy PSE 12.

Policy PSE 12 is mentioned in representations however there is a distinct difference between a holiday caravan site and a Permanent Gypsy and Traveller Site, hence there are separate policies to govern the uses.

Officers' opinion is that in the context of the adopted LDP, policy BSC 10 is a specific policy designed to deal with this type of proposal and must be considered of most relevance.

4.2.3 Existing need for the Gypsy and Traveller residential site

Many representations received on the application express the view that there is no identified need for the development, and question the need data provided. The alternative site assessment is considered questionable, and it is stated the Council has not followed Welsh Government Guidance in carrying out the assessment of accommodation need. These reflect concerns included in the responses received from the two local Community Councils.

In response to matters raised in relation to the need for the site:

At the time of preparing the existing Local Development Plan, the Council considered that there was insufficient evidence of identified need to necessitate the allocation of specific Gypsy and Traveller sites within the County. However, Policy BSC10 was included to provide a rational basis for the consideration of potential future proposals. Section 7 of the LDP requires the monitoring of the effectiveness of policies. In relation to the Gypsy and Traveller policy it states; "Where a need for permanent and/or transit sites is identified for Denbighshire in the North West Wales Local Housing Market Assessment (LHMA) the Council will work in partnership with neighbouring authorities to instigate a site search. A suitable site will be identified and planning permission granted within 18 months of receipt of the North West Wales LHMA, should it identify a specific need."

A Gypsy and Traveller Accommodation Needs Assessment was undertaken in 2013 as part of the North West Wales Local Housing Market Assessment. It was conducted by Bangor University on a North Wales Regional basis. Entitled the North West Wales Gypsy & Traveller Accommodation Needs Assessment, it assessed the Gypsy & Traveller needs for Conwy, Denbighshire, Gwynedd, Flintshire and the Isle of Anglesey for the period 2011 - 2016. The 2013 study found a need for 2 residential pitches to cope with demand from Denbighshire. No permanent residential pitches were identified in the County at this time.

The Housing (Wales) Act 2014 subsequently required all Local Authorities in Wales to undertake an up to date assessment of Gypsy and Traveller accommodation needs by 26th February 2016 and every 5 years thereafter. In response to this requirement, Denbighshire's 2016 assessment was completed and subsequently submitted to WG in line with legislative requirements.

The following Sections of Housing (Wales) Act 2014 are of relevance to the consideration of the need for a Gypsy and Traveller Site; Section 101 of the Housing (Wales) Act 2014 which requires local authorities to carry out the assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area. Section 102 which requires the preparation of a report setting out how the assessment was carried out and the accommodation needs identified by the assessment. This report must be submitted to the Welsh Ministers for approval. Finally Section 106 requires the authority to have regard to subsequent guidance from Welsh Ministers.

Linked to this is that the Council has a duty under section 103 of the Housing (Wales) Act 2014 to exercise its powers under section 56 of the Mobile Homes (Wales) Act 2013, giving power to authorities to provide sites for mobile homes so far as may be necessary to meet an identified need.

Having regard to all of the aforementioned legislative requirements the Council proceeded to produce its Denbighshire GTAA. The relevant GTAA report was submitted and approved by the Council's Cabinet for subsequent submission to Welsh Government in January 2017. It was approved by the Welsh Ministers on 28th March 2017. The approval stated that the Council was required to publish its approved GTAA and was expected to begin work on meeting the identified needs.

The Council's current GTAA concluded that there was a need for a residential site for 6 pitches (Chapter 6, p. 28 Residential Provision "*A residential site for 6 pitches would be sufficient to meet current needs together with needs of emerging households.*"). The GTAA runs from 2016 to 2021, hence the need exists at present. The Council are therefore obligated to address this need. The submission of this planning application as authorised by Cabinet is considered the most appropriate way for the Council to meet the need that its own GTAA has identified.

The Council is required to undertake its next GTAA to run from 2021 to 2033 to inform the emerging replacement Local Development Plan. The requirement to undertake the next GTAA has commenced, however, it does not negate the Council's statutory requirement to meet the existing needs in the current approved GTAA.

4.2.4 Site selection issues

Representations received in relation to the application focus heavily on the Site Selection process, considering it to have been insufficient, flawed and/or not transparent. The development is considered premature and it is suggested the site should be delivered through the Local Development Plan process. These reflect concerns included in the responses of the two Community Councils. Whilst Officers acknowledge the concerns raised about site selection the Local Planning Authority is duty bound to determine the application before it having regard to national and local planning policies and guidance. How and why the site has been selected is not considered a significant material consideration in the determination of this application. That said, Members should be aware of the following background information.

In order to identify suitable locations for the residential Gypsy and Traveller site the Council undertook a site selection process, including a review of Council owned land, a public call for land and correspondence with over 300 relevant parties.

The following steps were undertaken by the Council to identify potential land for consideration as a part of the site selection process:

- A public 'call for sites' exercise started on 13th September 2017 and closed on 8th November 2017, with the public, planning agents and landowners being invited to submit candidate sites. A total of 311 potentially interested parties were contacted, including neighbouring Local Authorities and City, Town & Community Councils both within and adjoining Denbighshire. A media briefing was held with coverage in the written press and on social media both at the start and towards the end of the 'Call for Sites' process and a range of information has been provided on dedicated webpages. However, no candidate sites were submitted as part of this process.
- All Local Authority owned land, known Welsh Government and other public sector sites and sites for sale were also considered.
- Sites were considered against national & local planning policy requirements, deliverability and WG guidance set out in Circular 005/18 'Planning for Gypsy, Traveller & Showpeople sites' & 'Designing Gypsy & Traveller Sites' May 2015.
- The sites were appraised and the final preferred location approved by Cabinet in March 2019.

In respecting comments on the site selection process it must be acknowledged that a detailed process was followed and Denbighshire's Cabinet accepted the site selected in this case. Officers do not consider the site selection process to be significant to the decision making on this planning application.

4.2.5 Visual amenity/landscape

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 potential material considerations.

PPW 10 Section 6.3.3 states 'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'

There are objections to the proposal based on potential visual and landscape impacts of the development. Representations received from the public suggest the development would have a detrimental effect on the rural character of the area. They also record concerns over the impact of the loss of hedgerow and proposed hard and soft landscaping (including the nature of the security fencing and barrier). These reflect concerns included in the responses of the two Community Councils.

There are no substantive objections from other specialist consultees on these grounds.

The relevant supporting application documents suggest there would be limited visual and landscape impacts from the proposed development.

The site has no specific allocation/ or landscape designation in the Denbighshire Local Development Plan. Officers' opinion on the issue is that the development would only have a short term impact on visual amenity and the local landscape character. Subject to suitable control over the detailing and implementation of the proposed additional landscaping/planting, this impact can be mitigated and would not be so negative as to justify a recommendation of refusal. There is a mix of development and boundary detailing in the locality, including a range of house types, agricultural and industrial buildings and varying boundary treatments (including a 2 metre high brick wall around the dwelling to the south). Given that the amenity buildings would be single storey and relatively low profile and substantial landscaping is proposed which would inevitably screen the site well, it is not considered that the potential visual and landscape impact of the development would give rise to a level of harm sufficient to merit refusal.

4.2.6 Residential amenity

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.

There are local concerns expressed at the potential for increased noise and disturbance from the development, and to potential noise and light pollution from the site, as well as additional traffic in the area. There are specific concerns from the immediate neighbouring property over the impacts on a family member with disabilities. These reflect concerns included in the responses of the two Community Councils.

There have been no objections raised by the Public Protection Officers, who are suggesting conditions to control noise, commercial activity and lighting. Welsh Government Trunk Roads Officers requested additional information be submitted to allow assessment of noise impacts on the occupiers of the site from the A55 Expressway. Having considered further information Welsh Government Trunk Road Officers have raised no objection to the scheme subject to the mitigation measures set out in the DAS being implemented, i.e. the installation of 1.8 metre fencing around each plot on the site.

As described in Section 1 above, the application proposes a 6 pitch gypsy and traveller site. The maximum number of residents that the site would accommodate is estimated to be 20. The site will be managed by the Council's Community Housing Service and each adult member of the extended family would have to agree to a tenancy with the Council under the Mobile Homes (Wales) Act 2013 Pitch Agreement which sets out clear obligations of the tenant in regards to; the number of mobile homes allowed on the site, the need to ensure they do not cause excessive noise that may disturb neighbours, they do not operate any form of commercial business from

the site, that they pay the rent when due, along with other clauses relating to antisocial behaviour, overcrowding, service charges etc.

In relation to impacts on residential amenity, it is to be noted that there are residential dwellings in the vicinity of the site, the closest being Pen Y Bryn Boderw directly opposite the northern end of the site and Bryn Coed some 70 metres to the south. Officers consider that the assessment of relevant impacts with this proposal should be no different to a commensurate residential scheme. This means that relevant factors are distances to neighbouring properties, potential for planning conditions to be imposed to mitigate impacts and any other separate site management arrangements which may be exercised. Officers consider that in their assessment, there are no specific residential amenity issues which would warrant a different level of scrutiny to any other small scale residential development proposal elsewhere in the County. In respecting the basis of concerns from residents, Officers consider that it would be difficult to justify a refusal based on the potential increased level of noise and disturbance associated with a 6 pitch residential Gypsy and Traveller site and on the level of activity/traffic associated with such a residential use, as detailed in the supporting documents. There is a mix of planning uses on Cwtir Lane and in the wider area. This, combined with the road noise from the A55 Expressway to the north of the site, means there is an existing level of noise and activity in the area which Officers feel would not be significantly compounded by the proposed development.

Given the relatively modest scale and nature of the proposed development, the separation distances between the site and existing residential properties and the imposition of conditions to mitigate impacts it is not considered there would be unacceptable impacts from noise, disturbance, overlooking or privacy in relation to local residents from the operation of the site.

4.2.7 Ecology

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, and TAN 5 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.

Individual objections express concerns over the impacts on protected species (i.e. Great Crested Newts), the impact drainage proposals would have in giving rise to pollution, and from the removal of a hedgerow. These reflect concerns included in the responses of the two Community Councils.

The Council's Biodiversity Officer has raised no objections. He suggests inclusion of conditions relating to Great Crested Newt reasonable avoidance measures, lighting, and precautions over site works in the Bird nesting season. He also suggests a condition ensuring native hedge planting as a biodiversity enhancement. The Council's Tree Consultant has considered the loss of the hedgerow and advises that subject to replacement with appropriate species the replacement would have the same biodiversity value. NRW have raised no objection to the proposed development in relation to the ecological issues.

On the basis of the relevant technical advice, Officers conclusion is that there would be no unacceptable ecological impacts and that suitable conditions can be attached to ensure proper measures to mitigate / protect and enhance ecological interests if permission is granted.

4.2.8 Drainage (including flooding)

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 drainage and flood risk impacts of development should therefore be regarded as potential material considerations.

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'. Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed.

Concerns have been raised on the drainage implications of the proposals, and the potential impact of surface water flow in the area and on Cwtir Lane. These reflect concerns included in the responses of the two Community Councils.

As part of the application submission a sustainable drainage strategy was provided. This has been assessed by Natural Resources Wales, Welsh Water and the Council's Flood Risk and Sustainable Urban Drainage (SUDs) Officer. The principles of sustainable drainage for this site are accepted and subject to the imposition of a planning condition to ensure precise details the specialist consultees raise no objections to the scheme.

The site is not in a Flood Risk area. The Drainage Strategy refers to the intention to deal with surface water by way of sustainable drainage systems (with attenuation) and foul water via the existing mains.

Having regard to the above, Officers would not consider there are any drainage or flooding issues of concern here. Matters of detail can either be dealt with through the SUDs regime and/or by suitable conditions if permission is granted. Any existing land drainage issues on this green field site experienced during periods of heavy rainfall can be enhanced and solved by a purpose built sustainable drainage system.

4.2.9 Highways (including access and parking)

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 impact of development should therefore be regarded as a potential material consideration.

Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (PPW) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

There are objections to the application based on the potential highway impacts. These relate to the limited access to the site from St Asaph; potential for increased traffic on Cwtir Lane and the access lane Heol Esgob; concerns over the nature of the surrounding roads (including their width, bends, lack of footways, street lights, and subsidence); inadequate approach roads from the A55 to the site via St Asaph and Glascoed Road; potential for conflicts/congestion with existing traffic and owing to the nature of the site users and potential for highway problems for larger vehicles

accessing the site. There are also questions raised over the sustainability credentials of the proposal, given the location and limited public transport services. These reflect concerns included in the responses of the two Community Councils.

The Highway Officer has assessed the proposals and issues arising (listed in preceding paragraph above), and has offered no objections to the application. The detailed consideration given to the impacts of the development are set out in the Consultation Responses section of the report. This provides commentary on the capacity of the existing network, speed data and traffic counts, the increase in traffic flow, Road Safety Audits, Personal Injury Accident data, the accessibility of the site by non-car modes of transport, the absence of pavements, junction configurations and visibility standards, and the internal site layout.

In concluding on the highway issues, Officers consider it is significant that the Council's Highway Officer raises no objections on highway grounds having regard to a range of factors in relation to the likely impact of the development. In the absence of clear evidence that the proposal would give rise to unacceptable road safety issues or would adversely affect the free movement of traffic, it is respectfully suggested there is no sound basis for resisting the grant of permission on highway grounds.

4.2.10 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 specifies that all new housing developments should make adequate provision for recreation and open space. All such schemes put increased demand on existing open spaces and facilities and therefore the policy applies to all developments including single dwellings.

In relation to the application, the submitted plans show an open space area is being provided on site which is of a size in excess of the policy requirements relating to housing developments. Ultimately the management of the site and the open space will be the responsibility of the Council who are land owners. The proposal is considered acceptable in relation to open space policy.

4.2.11 Inclusive design

The Development Management Manual advises at paragraph 9.4.3 as to what can be considered a material consideration, and states that the effects of a development on the neighbourhood and environment can be a material consideration. It is therefore considered that the issue of inclusive design is a material consideration.

The requirement to embody the principles of inclusive design in development proposals is set out in Planning Policy Wales (PPW 10). Section 3.5 and 3.6 outline accessibility considerations to be given to all development proposals, reflecting advice in TAN 12 Design and TAN 18 Transport.

There are no representations raising matters specific to inclusive design.

The Design and Access Statement submitted in support of the application states the site and amenity buildings have been designed with the specific needs of the Gypsy and Traveller Community in mind, and in accord with best practice contained in WG document Designing Gypsy and Traveller Sites May 2015. The amenity buildings would be fully wheelchair accessible. Officers consider the application demonstrates an acceptable basic approach to the issue of inclusive design.

4.2.12 Pollution

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.

In this case the issue arising from responses is the potential impact of commercial activities on the site in giving rise to pollution and the fact a petrol interceptor has been detailed on the plans.

The application has been assessed by Public Protection Officers, who have raised no objection to the scheme on pollution grounds subject to the inclusion of planning conditions to control activity on the site.

In noting the comments on the potential for pollution from vehicles on the site, it is Officers' opinion that the inclusion of a petrol / oil interceptor as a feature of the drainage system is a sensible 'precautionary' measure in any development of this nature where vehicles will be parked, to offer assurance that any potential pollutants are contained and do not percolate into the ground or seep into watercourses. The Council as landowner has control over the carrying out of commercial uses on the site.

4.2.13 Noise

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.

There are representations expressing concerns over increased activity on the site /lane giving rise to noise disturbance.

Public Protection Officers have had regard to the development / use proposed and have no objection to the application on noise pollution grounds, suggesting the inclusion of planning conditions to control the use/activities on the site.

In terms of the potential for noise and disturbance, Officers consider this would be limited given the scale and nature of the development i.e. 6 static caravan pitches with the potential to be occupied by up to 20 members of an extended family. The site will be managed by Housing Services with tenancy agreements to cover a range of issues including noise. It would be difficult to conclude this type of use would give rise to unacceptable levels of noise sufficient to merit a negative recommendation.

4.2.14 Fear of crime

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 effects of a development on public safety and crime.

There are objections to the application based on the fear of crime as a result of the development, including the potential for increased crime/civil disturbance etc.

North Wales Police Design Team and Diversity Unit have been consulted on the application. The Design Team have been involved with the evolution of the proposal and raise no objection to the detail. The Diversity Unit have advised they are not aware of any significant concerns or tensions which would be relevant to any planning application decision, stating "we will remain impartial to this process as with other planning applications".

In acknowledging the effects of development on public safety and crime is a material consideration, as in all cases, it is essential to stress that clear evidence needs to be

provided to establish that a particular development / use would give rise to negative effects on an area, sufficient to justify a refusal of permission. Consequently, whilst Officers note the representations received in relation to the fear of crime, having regard to the consultation response of North Wales Police, it is respectfully concluded that the evidence base for a refusal on grounds of fear of crime is limited, and is not a matter which should be accorded significant weight.

4.2.15 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 Planning Policy Wales (PPW 10); TAN 20 and Policy RD 5 of the Local Development Plan.

TAN 20 (2017) provides the most up to date guidance on considerations to be given to impacts on the Welsh Language.

There are no representations expressing comment on the potential impacts of the proposals on the Welsh language and social and cultural fabric of the area.

A Community and Linguistic Assessment has been provided in support of the application. This does not raise any issues of principle in relation to Welsh language policies. Officers do not consider that this modest development, which is clearly catering for individuals within the existing community and governed by specific legislation, would harm the intentions of the relevant Welsh Language Policies and Guidance.

4.2.16 Agricultural land quality

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.

There are objections to the application based on the loss of agricultural land.

Welsh Government have confirmed that the land value of the site is Agricultural Land Classification Subgrade 3b. This grade land does not fall under the definition of 'Best and Most Versatile Agricultural Land' as set out in PPW, hence Officers suggest there are no basic planning policy conflicts to address in connection with the proposal.

4.2.17 Issues of potential impacts on local services

Objective 12 in Chapter 4 of the Local Development Plan indicates that the Plan will ensure that an adequate level of community infrastructure (including schools) will, where relevant and required, be provided to mitigate the impact of certain new developments.

Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions arising from development to meet the additional social, economic, physical and or environmental infrastructure requirements arising from the development. The policy refers to the Council's priorities, which will vary depending on the nature and location of development, but are affordable housing, recreation and open space, sustainable transport facilities, regeneration, and 'Council priorities current at the time of application in line with other issues identified in the Local Development Plan or by the local community.'

The Planning Obligations SPG explains the principles behind the use of Planning Agreements as a means of mitigating the impact of developments on local facilities that are geographically and functionally related to it. It sets out the type of mitigation

measures the Council may seek to secure from development, the basis on which these may be justified, and the strict tests to be applied to determine the necessity and reasonableness for contributions. The Guidance explains that '...in justifying the need for these planning requirements there should be an evidence based approach to demonstrate relevance and need for the planning requirements identified.

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 service availability and the effects of a development on, for example, health, public safety and crime. Therefore it would not be unreasonable to have regard to the adequacy of existing public facilities and services when considering the application.

There are objections to the application based on concerns over the capacity of local services to deal with demands arising from the users of the site.

Betsi Cadwaladr University Health Board and North Wales Police raise no objections or concerns relating to the impacts of the development on the capacity within their respective services. The Councils Education Section are seeking a development contribution of £8,000 in lieu of a single additional primary school place which this development would generate (Ysgol Esgob Morgan). There is no need for any contribution towards the nearest secondary school (Ysgol Glan Clwyd).

In respecting the localised concerns over the adequacy of local services, to justify a refusal of permission of the application now in front of the Committee, it would be necessary to establish that the development proposed would give rise to demands which would prejudice the delivery of public services to an unacceptable degree. On the basis of the scale of development actually involved and the specialist consultation responses, there are limited grounds to suggest this is the case.

4.2.18 Impact on St Asaph Business Park and the local Economy

Objections have been received on the application citing concerns over the potential impact on businesses at St. Asaph Business Park, and the local economy from the development.

The representations from individuals and on behalf of existing businesses in objection to the application are on grounds of the adverse impact the presence of a Gypsy and Traveller site may have on employees and the image of, and future investment in, the Business Park and wider area. An examination of the only document referred to as evidence in representations does not conclude that the proposal would impact on the Business Park, it simply refers to individual respondents concerns raised in a survey.

The concerns raised by their very nature, are based around perceptions of a potentially negative impact or harm to businesses from the use of this land as a residential Gypsy and Traveller site. As with any proposed development, Officers afford weight to material planning issues based upon the evidence which can be provided to identify harm. In this case merely saying that the siting and operation of a modest residential Gypsy and Traveller site will give rise to a negative impact on the success or otherwise of a local Business Park and the wider economy cannot be afforded significant weight in the assessment of this application. The reason for this is that no relevant evidence has been provided which identifies how this harm will manifest itself. As with any other residential development site, subject to controls on activities, design, lighting, landscaping etc. any potential localised impacts can be managed thus mitigating any impacts on neighbouring land uses.

The applicant has provided, as a supporting document, a Business Impact Statement. This has been produced in an attempt to allay any fears of any potential impacts on the nearby Business Park and wider business area from the proposed use. This statement concludes that there should not be any potential negative impacts from the

development on the local economy or Business Park. This conclusion is supported by Economic and Business Development colleagues.

Other matters

Well – being of Future Generations (Wales) Act 2015

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

The report on this application has 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 This report seeks to address a range of issues of relevance to an application which has generated considerable local reaction.
- 5.2 The assessment of local and national planning policy and guidance suggests there are no fundamental planning policy grounds to oppose the development of a residential Gypsy and Traveller site in this location.
- 5.3 The report sets out what Officers believe to be the main issues of relevance to the consideration of the application. Having regard to the responses from key consultees, other representations, the planning policies and material considerations, Officers do not consider that there is clear evidence of material harm likely to arise as a result of the development. Imposition of suitable planning conditions can help to mitigate localised impacts if permission is granted.
- 5.4 In reaching a recommendation on the proposal, Officers recognise there are strong local feelings, but that having due regard to the issues and information relevant to a decision, it is concluded there are limited land use planning grounds to justify a refusal of planning permission.

RECOMMENDATION:

It is recommended that permission be **GRANTED** subject to:

- Completion of an Agreement under Section 106 of the planning act, or any other suitable agreement, to secure an Education contribution of £8,000.

In the event of failure to complete an Agreement within 12 months of the date of the resolution of the grant of permission, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

The Certificate of Decision would not be released until the completion of the Agreement.

1. The development to which this permission relates shall be begun no later thaninsert DATE (5 years).
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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) Existing Site Survey (drawing no. A113 Rev. A) received 27th September 2019
 - (ii) External Works General Arrangement (drawing no. 1056-701 Rev P03) received 27th September 2019
 - (iii) Access road analysis (drawing no. 1056-CSK01 Rev P02) received 25th September 2019
 - (iv) Access road analysis (drawing no. 1056-CSK02 Rev P02) received 27th September 2019
 - (v) Outline drainage strategy (drawing no. 70061056-DR-WSK-02 Rev B) received 30th September 2019
 - (vi) Aerial view as proposed (drawing no. A109 Rev B) received 25th September 2019
 - (vii) Proposed site sections (drawing no. A108 Rev B) received 27th September 2019
 - (viii) Site layout (drawing no. A105 Rev C) received 27th September 2019
 - (ix) Amenity Block - Floor plan and elevations as proposed (drawing no. A111 Rev B) received 27th September 2019
 - (x) Location plan (drawing no. A103 Rev C) received 27th September 2019

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development

3. The occupation of the site shall only be by Gypsies and Travellers as defined by paragraph 2 of Circular 005/2018: 'Planning for Gypsy & Traveller Caravan Sites'.
 Reason: The residential use of this site in the open countryside has been allowed on the basis of the need for Gypsies and Travellers pitches and therefore the future occupation of the site accommodation must be controlled.

4. There shall be no more than 6 pitches on the site and on each of the 6 pitches hereby approved no more than 2 caravans shall be stationed at any time, of which only 1 caravan shall be a static caravan, as defined in the Caravan Sites and Control of Development Act 1990 and the Caravan Sites Act 1968.
 Reason: In the interests of clarity, to define the extent of the planning permission and prevent over-development of the site.

5. No commercial or livery activities shall take place on the land, including the storage of materials. There shall be no loading or unloading of vans, open backed vehicles or lorries on the site at any time other than for domestic purposes. No more than one commercial vehicle per plot shall be kept on the land for use by the occupiers of the caravans hereby permitted, and commercial vehicles shall not exceed 3.5 tonnes in weight.
 Reason: To ensure that no commercial activities adversely affect the residential amenity of residents of nearby properties.

6. Details of the refuse collection provisions for the site shall be submitted to and approved in writing by the local planning authority before the site hereby permitted is occupied. There shall be no burning on site, except to provide a residential heat source, so as not to cause a smoke nuisance.
 Reason: To ensure that no activities on the site adversely affect the residential amenity of residents of nearby properties.

7. No caravan shall be brought onto the site or occupied until full details of the 1.8 metre fencing to be erected around each plot and an appropriate future maintenance regime is submitted to and approved in writing by the local planning authority to ensure the long-term integrity of the fencing. This should be produced in line with the noise mitigation measures identified in the Planning Design & Access Statement, Revision 3 September 2019
 Reason: To protect the residential amenity of the occupiers of the site.

8. No caravan shall be brought onto the site or occupied until a scheme of hard and soft landscaping is submitted to and approved in writing by the local planning authority. The scheme shall include full planting plans (using native species), hard standings and means of enclosure and an implementation programme with appropriate future maintenance regime. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the development hereby permitted does not have a detrimental impact on the character and appearance of the area and nature conservation.
9. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the local planning authority; 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.
Reason: In order to protect existing trees and hedgerows, in the interest of visual amenity.
10. No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the residential use of the development and retained in perpetuity.
Reason: To prevent pollution of the environment by ensuring the provision of adequate foul and surface water drainage.
11. No development shall commence until a method statement detailing a scheme of great crested newt reasonable avoidance measures is submitted to and approved in writing by the local planning authority. This should be produced in line with recommendations in section 9.4.3 of the ecological report. The approved measures shall be implemented in full.
Reason: In the interests of nature conservation.
12. Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the site hereby permitted is occupied. The lighting/internal light spillage scheme shall be designed to avoid negative impacts on bats. This should 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. The approved measures shall be implemented in full.
Reason: In the interests of nature conservation.
13. Any site works which could result in the damage or destruction of active bird nests must take place outside the of the bird breeding season (March - August, inclusive) or immediately following a nesting bird check conducted by a suitably qualified Ecologist.
Reason: In the interests of nature conservation.
14. No development shall commence until a Construction Method Statement has been submitted to and agreed in writing by the local planning authority. The Statement shall provide details of:
 - i. the arrangements for the parking of vehicles of site operatives and visitors;
 - ii. the location of any construction compound and measures to reinstate the land following completion of the works
 - iii. the hours of site works and deliveries
 - iv. the proposed routing of delivery vehicles, and directional signing along public roads where necessary
 - v. the location of areas designated for the loading, unloading, and storage of plant and materials;

- vi. the proposals for security fencing or hoardings around the site
- vii. pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses
- viii. wheel washing facilities;
- ix. a scheme for recycling/disposing of waste resulting from demolition and construction works.
- x. any proposed external lighting
- xi. the piling methods, in the event that this form of foundation construction is proposed

The construction phase works shall be carried out strictly in accordance with the approved elements of the Statement.

Reason: To ensure suitable arrangements are in place to control construction stage works, in the interests of residential amenity and highway safety, and to minimise the impact of this phase of the development.