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42/2020/0923



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Eitem Agenda 6 / Agenda Item 6



Site for proposed main dwelling

Eitem Agenda 6 / Agenda Item 6



Site for proposed main dwelling

Eitem Agenda 6 / Agenda Item 6



Site for proposed detached garage

Eitem Agenda X / Agenda Item X



Track leading to site of main dwelling

Eitem Agenda 6 / Agenda Item 6



Site of proposed lodge dwelling

Eitem Agenda X / Agenda Item X



Site access of the highway

Eitem Agenda 6 / Agenda Item 6



Existing track leading from access



AERIAL VIEW OF MAIN HOUSE



FRONT ELEVATION



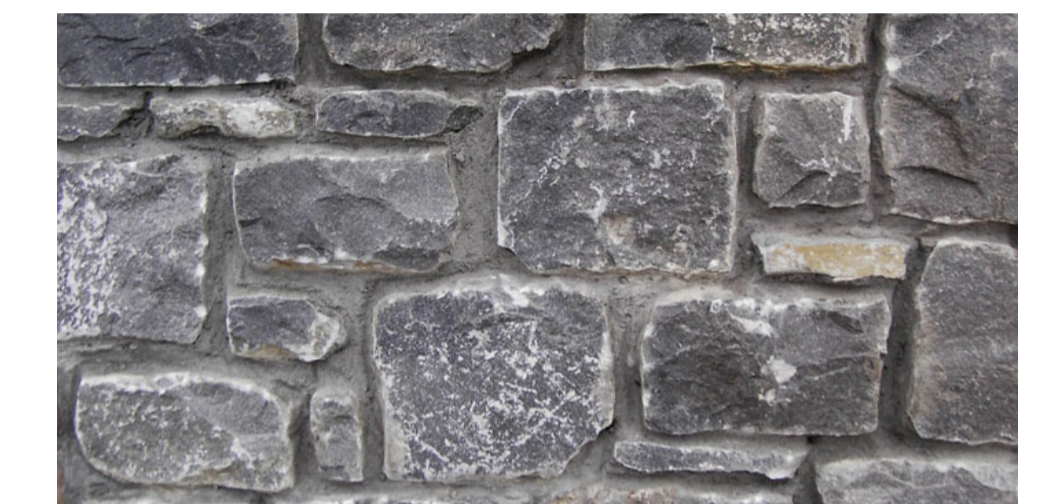
Pigmento Green Zinc



Zinc and Cladding



Concrete, lower floor




Limestone



Green Roof



Timber cladding to receive dark stain (match bark colour).

Rev	Description	Date
THESE DRAWINGS ARE NOT TO BE SCALED		
The contractor shall check and verify all dimensions and levels and report any discrepancies to the project manager prior to commencing work.		
STATUS	PURPOSE OF ISSUE	
 <small>JAR Architecture & Design Ltd, Design Loft, 9 Castle Street, Conway, LL32 8AY - 01492 572767</small>		
PROJECT		
Quarry Falls		
TITLE		
3D VIEWS		
ADDRESS		
FORMER QUARRY, HIGH STREET, DYSERTH, LL18 6HS PLANNING APPROVAL ANNEX BUILDING		
DRAWN BY	CHECKED BY	DATE
JR	JR	04/12/20
SCALE (@ A1)		PROJECT NUMBER
		1921
DRAWING NUMBER		REV
A500		



1 Site Plan Full
1 : 500

SUDS LEGEND	
RE-USE OF WATER - PRIORITY	
•	Rainwater Harvesting
•	Rain Garden
•	Soak Away
•	Permeable Driveway
•	Swales



2 Site Plan
1 : 200

- 1 Removed
- 2 New domestic rainwater harvesting system to supply toilets and external hose bibs, excess to go to soakaway when required
- 3 Existing quarry track to be utilised for access to new property
- 4 New 4 bay garage with storage area, timber clad with tata steel roof.
- 5 Any areas that are rough and overgrown are to be maintained and enhanced.
- 6 Recycling bins, black bin, green bins and food bin

Site Works Legend
1 : 50

SITE LEGEND	
	Boundary Line
	Timber Fence 1.1m
	Exist Fence 1.8m
	Existing Trees
	New Trees
	Existing Woods
	Grass
	Slate (loose)
	Rock Outcrop
	600 Ø Inspection Chamber Foul
	600 Ø Inspection Chamber Surface
	Soak Away

Site Legend
1 : 200

Rev	Description	Date
1	Updated plans	11.01.21
<p>THESE DRAWINGS ARE NOT TO BE SCALED</p> <p>The contractor shall check and verify all dimensions and levels and report any discrepancies to the project manager prior to commencing work.</p>		
STATUS Approval	PURPOSE OF ISSUE PLANNING	
<p>JAR Architecture & Design Ltd, Design Loft, 9 Castle Street, Corvay, LL32 8AY · 01492 572767</p>		
PROJECT New House		
TITLE Site Plan		
ADDRESS FORMER QUARRY, HIGH STREET, DYSERTH, LL18 6HS		
DRAWN BY JR	CHECKED BY JR	DATE 31/10/20
SCALE (@ A1) As indicated		PROJECT NUMBER 1921
DRAWING NUMBER A002	REV 1	

WARD : Dyserth

WARD MEMBER(S): Cllr David Gwyn Williams

APPLICATION NO: 42/2020/0923/ PF

PROPOSAL: Erection of multi-storey dwelling with detached garage with store over, erection of a single storey lodge dwelling and associated works

LOCATION: Land at Former Quarry off High Street Dyserth Rhyl

APPLICANT: Mr & Mrs Jamie and Nicola Bonner

CONSTRAINTS: None

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

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

- Member request for referral to Committee

CONSULTATION RESPONSES:

DYSERTH COMMUNITY COUNCIL - Whilst the Community Council have no objections to the proposal; providing that the application is subject to compliance with relevant policies and planning guidance notes. However, the Council are extremely concerned, that the Preliminary Ecological Assessment at Paragraph 5.2 on page 7, states: The protected species survey was negative. The Quarry site is, and has been, frequented by Peregrine Falcons over many years; this is a well-known fact within the community area. Peregrine Falcons have been given full legal protection under the Wildlife & Countryside Act 1981.

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE**

“Although outside the AONB the proposed development has the potential to impact on the setting of the protected landscape. However, the Joint Committee notes that the site is within the development boundary of Dyserth and is located within a relatively well screened area within a former quarry and, in this context, has no objection in principle to the proposals.

The design is contemporary in nature but the materials are considered to be appropriate to the setting. The main dwelling includes significant areas of floor to ceiling glazing which has the potential to cause light pollution, and the committee would therefore recommend that this should be specified as low transmittance tinted glass to conserve the AONB’s dark sky. In addition, no details of external lighting are shown, but the committee would also suggest that a condition be attached requiring submission of any future lighting proposals to ensure they are also designed and specified to conserve the AONB’s dark sky and nocturnal wildlife.

The committee notes that the site is very close to a number of sites designated for their conservation value (SSSI, County Wildlife and RIGS sites) which must not be adversely impacted by the development. From a landscape perspective, it will be particularly important to retain and manage the woodland surrounding the site which screen the development.

Finally, this is a large site and the committee would suggest there is a need to define the residential curtilages for each dwelling and would recommend that a condition be attached to any permission to remove permitted development rights.”

NATURAL RESOURCES WALES

Original consultation response:

Objected to a private treatment plant within an area served by a public sewer and required more information regarding dewatering of the quarry.

Re-consultation response:

Following amended plans showing foul drainage to connect to mains sewer, NRW withdrew previous objection to foul water drainage, however further details with regards to the maintenance of the swimming pool where requested.

Final re-consultation response:

Following submission of additional drainage / swimming pool waste water information, NRW confirmed previous issues with drainage had been addressed.

Therefore, no objection subject to a condition to secure a Biosecurity Risk Assessment to prevent the spread of invasive species being imposed which is necessary due to the proximity to the Moel Hiraddug a Bryn Gop SSSI.

DWR CYMRU / WELSH WATER –following the submission of amended plans confirming the foul drainage would connect to the mains sewer, no objection submit to conditions being imposed to secure details of foul water drainage and to prevent surface or ground water discharging to the mains sewer.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Traffic, Parking and Road Safety
- Highways Officer:-No objection

Strategic Planning and Housing Officer:--

Site lies within in the development boundary of Dyserth therefore no objection in principle. In accordance with BSC11 contributions to the provision of open space should be secured.

County Ecologist: -

No objection, subject to conditions being imposed to ensure that there are no negative impacts on protected species or the nature conservation value of the site, and all reasonable steps have been taken to maintain and enhance biodiversity as required by Section 6.4 of Planning Policy Wales, Edition 11.

North Wales Minerals and Waste Officer:-

At present there is no need to provide for limestone aggregate resources within Denbighshire during the LDP period. However, there is a need identified for crushed rock aggregate on a sub-regional level. Should Denbighshire County Council enter into a Sub-Regional collaboration agreement to assist in providing the sub-regional apportionment figure. then additional reserves may be sought and won from the County of Denbigh.

However, due to the constraints identified above, other sites would be more suitable to supply this sub-regional need in the future. As such, any sterilisation of this Limestone resource by this proposed development would not hinder the ability for the sub-region, or the County to identify suitable sites for future exploration in the future. Should this proposal go ahead, the mineral that would be sterilised by this development would be insignificant, and in any event, there is little viability for that mineral to be worked in the future in this location.

Due to the constraints surrounding the former Dyserth Quarry as detailed above, it is unlikely that a planning application to reopen the quarry would be supported and therefore development within the quarry site would not further sterilise the limestone resource as it is already sterilised by existing development and statutory designations and therefore there is little viability for that mineral to be worked in the future in this location.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Kevin Rothwell, Springwood, 1 Lower Foel Road, Dyserth
Wayne Campbell & Joanne Williams, Bryn y Foel, Dyserth

Lisa Waugh, 1 Bryn Ceri, High Street, Dyserth

Summary of planning based representations in objection:

Visual / design

- Modern, unattractive design. Won't fit with traditional village setting.
- Developing quarry would result in loss of village history

Ecology impacts

- Protected species would be adversely affected by the development,
- Slow worms, Lizards, Toads, Peregrine Falcons present in quarry.
- Adverse impacts on wildlife.

Drainage / flooding

- Quarry has previously flooded / filled with water, and neighbouring properties have experienced flooding from runoff from quarry. Concern that development would increase risk of flooding, especially having regard to increased extreme weather conditions.
- Previous quarry owner had covered costs of neighbour's flood damage and but a soil bund in place, but neighbours still experiencing flooding from runoff.
- Concerns were also raised regarding the package treatment plant initially proposed in terms of discharges to ground (*Officers would note foul drainage is now proposed to discharge to the mains sewer*).

EXPIRY DATE OF APPLICATION: 13/01/2021

EXTENSION OF TIME AGREED: 12/05/2021

REASONS FOR DELAY IN DECISION (where applicable):

- delay in receipt of key consultation response(s)
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The proposal is for the development of two dwellings within a section of the former Dyserth quarry.

1.1.2 The main dwelling proposed would be a modern four storey tiered property built into the rock face. A detached 4-bay detached garage building with storage space above.

1.1.3 The lodge dwelling is single storey a three-bed room property with a flat roof.

Proposed main dwelling:



- 1.1.4 The application form indicates the applicant's parents would live in the lodge dwelling, however it is proposed as a self-contained dwelling with its own curtilage and therefore it considered to be a separate dwelling and not annexe accommodation which is reflected in the description of the development.
- 1.1.5 The site is served by an existing vehicular access which would be utilised to serve the developments.
- 1.1.6 Foul drainage would discharge to the mains sewer and surface water would discharge to soakaways.

1.2 Other relevant information/supporting documents in the application

- 1.2.1 The application is supported by a Planning Statement and Preliminary Ecological Assessment.
- 1.2.2 Percolation test results and other land drainage information has been provided.

1.3 Description of site and surroundings

- 1.3.1 The site forms part of the former Dyserth quarry on the edge of Dyserth.

1.4 Relevant planning constraints/considerations

- 1.4.1 Within the Dyserth development boundary as defined in the LDP.
- 1.4.2 Southern section of the former quarry is SSSI, however application site lies wholly outside of the statutory designation.

1.5 Relevant planning history

- 1.5.1 None of relevance.

1.6 Developments/changes since the original submission

- 1.6.1 Description was changed to make it clear 2 dwellings were proposed.
- 1.6.2 Foul drainage arrangements change to connect to mains sewer.
- 1.6.3 Percolation test result and additional information on land drainage provided.

1.7 Other relevant background information

- 1.7.1 None.

2. DETAILS OF PLANNING HISTORY:

- 2.1 N/A

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 **Local Policy/Guidance**

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC11 – Recreation and open space

Policy VOE1 - Key areas of importance

Policy VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Recreational Public Open Space

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note: Residential Space Standards

3.2 **Government Policy / Guidance**

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes:

TAN 5 Nature Conservation and Planning (2009)

TAN 12 Design (2016)

3.3 **Other material considerations**

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 11 (February 2021) 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 Visual amenity

4.1.3 Residential amenity

4.1.4 Ecology

4.1.5 Drainage (including flooding)

- 4.1.6 Highways (including access and parking)
- 4.1.7 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages. It encourages provision of a range of house sizes, types and tenure to reflect local need and demand and the Local Housing market assessment.

The site is located within the development boundary of Dyserth.

The principle of housing development is therefore considered acceptable and Officers would suggest the acceptability of the particular proposals therefore has to rest on assessment of the local impacts, which are reviewed within the following sections of the report.

4.2.2 Visual amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

The site is close to the boundary with the AONB and therefore VOE2 is also of relevance, which seeks to protect the character and setting of the protected landscape.

Public concerns have been raised regarding the design of the proposal and the AONB Advisory Committee has recommended conditions are imposed to control the detailing and landscaping.

The main dwelling is a large, multi-tiered dwelling of contemporary design which would be built into the rock face, however Officers would note as the site is a former quarry, and a unique design approach is required to integrate the dwellings into the setting. Officers consider the design, scale and form relate well to the former quarry setting and the material choices have considered the setting of the site and include a mix of stone, timber and render cladding to the walls, and roofs would be seamed zinc and green roofs which would help the development assimilate into the site.

The lodge dwelling is of much more simple form, being a single storey structure with flat roof and rendered walls, and it wouldn't appear to compete the with the main dwelling.

Whilst the detached garage is large, it would be clearly subordinate and well related to the main house.

A materials schedule has not been provided, however conditions could be imposed to secure the detailing of the proposed wall and roof materials.

The site area is large, and the curtilage for each unit has not be clearly defined, however Officers consider this can be controlled by condition.

Conditions are also considered necessary to control details of hard and soft landscaping and lighting in the interests of visual amenity.

Having regard to the scale and design and setting within a former quarry, Officers consider permitted development rights should also be removed in the interests of visual amenity and also ecological protection.

Having regard to the design, siting, scale, massing and materials of the proposed development, in relation to the character and appearance of locality and landscape, it is considered the proposals would not have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

4.2.3 Residential amenity

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

Residential Development and Residential Space Standards SPGs are material considerations.

There are no representations raising residential amenity issues.

The dwellings proposed would exceed the space standards for new developments and would provide a satisfactory standard of amenity for occupiers of the proposed dwellings.

Having regard to the separation distances, and the scale, location and design of the proposed development, it is considered that the proposals would not have an unacceptable impact on residential amenity on neighbouring properties and would provide a satisfactory standard of amenity themselves, and would therefore be in general compliance with the tests of the policies referred to.

4.2.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment.

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

Conservation and Enhancement of Biodiversity SPG is a material consideration.

Planning Policy Wales (PPW 11) sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (Section 6.4.5).

Representations from the Community Council and members of the public have raised concerns regarding impact on wildlife and protected species. NRW and Ecology Officer have raised no objection on ecological grounds subject to imposition of conditions.

The site is adjacent to the Moel Hiraddug a Bryn Gop SSSI SSSI. A preliminary ecological appraisal has been provided with the application, which sets out mitigation and enhancement measures to ensure the proposal would not have a detrimental impact on ecological interests.

Subject to the imposition of relevant planning conditions to maintain and enhance biodiversity and protected species within the site and prevent the spread of invasive species, Officers consider the proposal would not have a negative impacts on protected species or the nature conservation value of the site.

4.2.5 Drainage (including flooding)

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

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

Public objections have raised concerns on drainage grounds, due to concerns regarding the proposal giving rise to an increased risk of flooding from the site towards neighbouring property.

NRW have raised no objection to the proposal following the submission of amended plans which now show foul drainage to connect to the public sewer, and the submission of additional information relating to the need for dewatering at the quarry.

Dwr Cymru have raised no objection to the proposal subject to conditions.

Foul water is proposed to discharge to the mains sewer. Surface water is proposed to discharge to new soakaways and percolation test results have been submitted to demonstrate the ground conditions are suitable for soakaways. Additional information has also been provided regarding how waste water from the swimming pool proposed would discharge to foul drainage.

The public representations have indicated that runoff from the site has previously resulted in flooding of neighbouring property, and previous quarry owner agreed to pay for flooding repairs and installed a bund at the site boundary. Officers would note this would have been a private agreement between the two parties and not a planning requirement.

The applicant has provided percolation test results to demonstrate ground conditions are suitable for soakaways, and therefore the principle of the surface water drainage is considered acceptable. Surface water drainage would be subject to separate SAB approval and would need to demonstrate runoff rates are unchanged or bettered as a result of the development through that process.

Having regard to the above and that the SAB process would also deal with surface water drainage, Officers consider the proposed drainage is acceptable subject to conditions being imposed.

4.2.6 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require consideration of the impact of development on the local highway network.

Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments

Highway officers have raised no objection to the proposal.

The existing quarry access would be retained as existing and parking is proposed within the site.

The proposal is not considered to be in conflict with policies listed above.

4.2.7 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.

Table 4 in the Open Space SPG (adopted March 2017) sets out thresholds for on-site provision and financial contributions. It specifies that for schemes of 1 – 30 dwellings, open space obligations should be met through financial contributions rather than onsite provision, however 5.4.9 of the SPG does state that the thresholds are indicative, and onsite provision for sites of less than 30 will be considered on their merits.

An Open Space Assessment and Audit Report has been completed by the Council and provides the evidence base for Policy BSC 11. The report assesses the quantity, quality and accessibility of existing open spaces in the County on a community area basis with some additional information on an electoral ward basis.

In relation to the application, the assessment shows a deficit of amenity greenspace, children's play areas, outdoor sports facilities and public parks and gardens in Dyserth.

On the basis of the evidence within the Open Space Assessment and Audit Report, it is considered that the proposal should make a financial contribution to mitigate the increased usage on the existing open space and equipment within the area.

The proposal is considered acceptable in relation to open space policy subject to the requisite contribution being secured through an appropriate agreement.

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 Subject to the imposition of conditions and necessary open space agreement being entered into, the proposal is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 12th May 2026
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) House - Floor plans (Drawing No. A100) received 18 November 2020
 - (ii) House - third floor plan (Drawing No. A101) received 18 November 2020
 - (iii) House - Elevations sheet 1 of 2 (Drawing No. A300) received 18 November 2020
 - (iv) House - Elevations sheet 2 of 2 (Drawing No. A301) received 18 November 2020
 - (v) House - Proposed sections (Drawing No. A400) received 18 November 2020
 - (vi) Lodge - Existing site plan (Drawing No. A.001) received 18 November 2020
 - (vii) Lodge - Proposed site plan (Drawing No. A.002 Rev. A) received 14 January 2021
 - (viii) Lodge - Proposed ground and roof plan (Drawing No. A.100) received 18 November 2020
 - (ix) Lodge - Proposed elevations (Drawing No. A.101) received 18 November 2020
 - (x) Garage details received 18 November 2020
 - (xi) House Site plan (Drawing No. A002 Rev. 1) received 14 January 2021
 - (xii) Location plan received 18 November 2020
 - (xiii) Proposed sections (Drawing No. A400) received 4 December 2020
 - (xiv) 3D views (Drawing No. A500) received 4 December 2020
 - (xv) Preliminary Ecological Assessment (Cambrian Ecology Ltd dated 20th August 2020) - Received 18 November 2020
 - (xvi) Drainage percolation test results and de-watering email - Received 22 December 2020
 - (xvii) Additional information email and swimming pool waste water letter - Received 9 February 2020
3. Prior to the development hereby approved first coming into use, a plan showing the residential curtilage of each dwelling shall be submitted to and approved in writing by the local planning authority.
4. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out without approval in writing of the Local Planning Authority.
5. Prior to the application of any external materials to the dwellings and detached garage hereby approved, full details of the wall and roof materials, finish and colour shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
6. **PRE-COMMENCEMENT CONDITION**

No development shall commence until an updated site wide scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

 - (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development;
 - (b) detailed of proposed planting which shall follow the recommendations set out in Section 10 of the approved Preliminary Ecological Assessment and shall include confirmation of

species, numbers, and location and the proposed timing of the planting and maintenance schedule;

(c) Specification for the green roof;

(c) proposed materials to be used on the driveway(s), paths, parking and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment.

The landscape scheme shall be carried out in accordance with the approved details

7. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.
8. The development shall be carried out in strict accordance with the recommendations set out in Section 9.2 of the approved Preliminary Ecological Assessment (Cambrian Ecology Ltd dated 20th August 2020) in respect of reptile avoidance measures.
9. **PRE-COMMENCEMENT CONDITION**
No development or site clearance shall be permitted to commence until a Biosecurity Risk Assessment to include measures to control, remove and prevent the spread of *Cotoneaster horizontalis* has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the approved details.
10. **PRE-COMMENCEMENT CONDITION**
The new buildings shall contain provision for roosting bats and nesting birds, in line with recommendations made in section 10 of approved Preliminary Ecological Assessment. Prior to the commence of development hereby approved, the number, location and specification of these features to be shown on plans shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out strictly in accordance with the approved details.
11. **PRE-COMMENCEMENT CONDITION**
Prior to the commencement of development, an external lighting/internal light spillage scheme, designed to avoid negative on bats shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out strictly in accordance with the approved details.
12. No external lighting shall be installed without the formal written approval of the Local Planning Authority to the detailing of the proposed lighting, including emergency/security lighting. The details shall include the design of the lighting and associated columns / means of fixture to buildings, their position, height, the means and intensity of illumination, hooding, the extent of lumination and the anticipated spread of light, the hours of operation of the lights. The approved scheme shall be implemented strictly in accordance with the approved details.
13. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
14. **PRE-COMMENCEMENT CONDITION**
No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. For the avoidance of doubt, and in the interests of visual amenity.
4. In the interests of residential and visual amenity and to protect the ecological interests within the site.
5. In the interest of visual amenity and to protect the ecological interests within the site.
6. To ensure the development conserves and enhances the character and visual amenity of local and designated landscapes, and to conserve and enhance ecological interests.
7. In the interests of visual amenity and landscape character and to conserve and enhance ecological interests.
8. To prevent adverse impacts on protected reptile species.
9. In the interests of avoiding the spread of non-native invasive species.
10. In the interests of achieving a net benefit to ecological interests and to preserve the favourable conservation status of protected species.
11. To preserve the favourable conservation status of protected bat species.
12. In the interest of visual and residential amenity.
13. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
14. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

NOTES TO APPLICANT:

COMPLIANCE WITH APPROVED PLANS AND CONDITIONS

Please be reminded that any permission or consent must be carried out strictly in accordance with the approved plans and conditions imposed which are clearly listed on this certificate of decision. Pre-Commencement conditions should be given particular attention. Failure to do so could result in enforcement action being taken by the Local Planning Authority.

Further detailed information on how to comply along with other relevant information relating to your decision is contained in the detailed Notes to Applicant attached to this certificate which you are strongly advised to consider.

If you are in any doubt about your obligations, including any obligation you may have to pay commuted sums, please contact the Local Planning Authority at planning@denbighshire.gov.uk quoting the reference of your planning permission.

SUDS

Developments of more than a single dwelling, or those involving a construction area of more than 100sq.m may be subject to the Sustainable Urban Drainage approval process. Denbighshire County Council is the appointed SuDS Approval Body, contact 01824 706901 or email landdrainage.consultations@denbighshire.gov.uk

Detailed information and advice is available on the Councils website:

<https://www.denbighshire.gov.uk/en/resident/planning-and-building-regulations/planning/sustainable-drainage-systems-suds/sustainable-drainage-systems-suds.aspx>

Bat External Lighting

Works which could result in the damage or destruction of active bird nests should 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.

Any external lighting should be sensitively designed to reduce impacts on nocturnal wildlife. All lighting should be angled downwards and installed with a protective cowl to reduce light spillage.

Guidance is set out in Guidance Note 08/18 Bats and Artificial Lighting in the UK (2018) published by the Bat Conservation Trust & The Institute for Lighting Professionals. A warm white spectrum (ideally

<2700Kelvin) should be adopted to reduce blue light component. Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats. The document can be found at <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

Bat & Bird Boxes

Planning Policy Wales (PPW) 11 (2021) recommends that biodiversity and ecosystem resilience considerations should be taken into account in development proposals. It would therefore be recommended that biodiversity enhancement measures are incorporated into this development in the form of the provision of bird boxes/ bat boxes.

It is preferable to incorporate these features in the structure of the proposed new development as these are discrete, maintenance free, and ensure the building remains suitable for protected species in perpetuity. You are advised to discuss this detailed with a suitably qualified Ecologist. Boxes such as the 1FR Schwegler Bat Tube, Ecosurve Bird Boxes, and Bird Brick Houses are all designed to be integrated into new build developments.

LANDSCAPING PLANTING NOTE:

Planting should include feature species of known benefit to wildlife. No species listed on schedule 9 of the Wildlife and Countryside Act (1981), as amended, or species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) should be included in the planting list.

Public Sewer Connection

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

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