

40/2021/0825

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Aerial Photograph/Location Plan

Key Strategic Site - Illustrative Master Plan





Proposed Site Layout Plan

TYPE A (4 BED) - 1329sq.ft



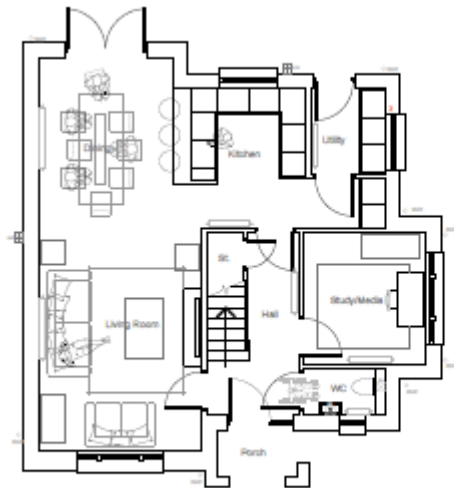
FIRST FLOOR
TYPE A
60.75sqm



FRONT ELEVATION



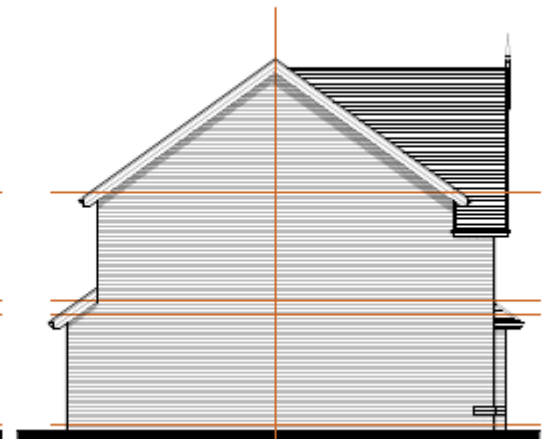
SIDE ELEVATION (RIGHT)



GROUND FLOOR
TYPE A
62.75sqm

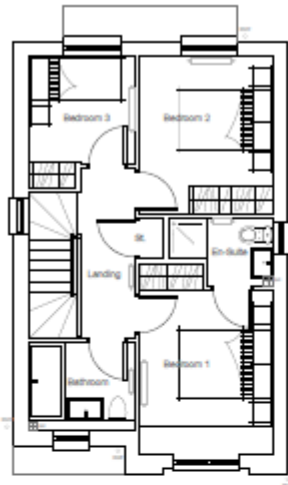


REAR ELEVATION

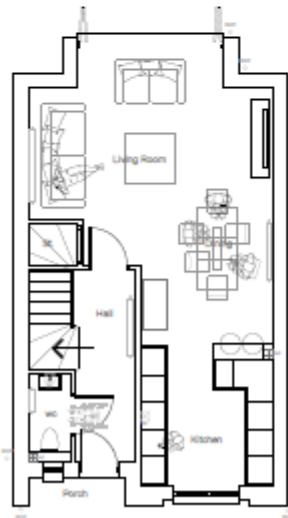


SIDE ELEVATION (LEFT)

Housetype A – 4 bed detached



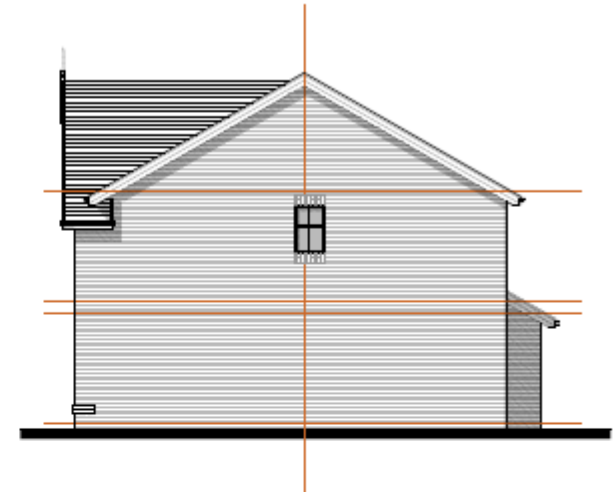
FIRST FLOOR
46 sqm



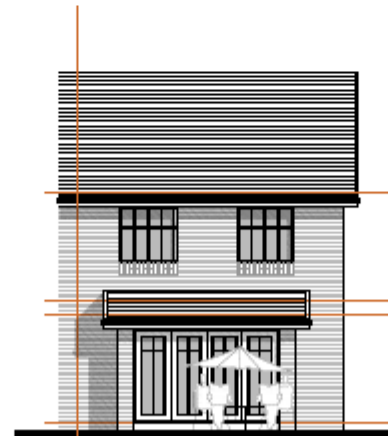
GROUND FLOOR
TYPE C
49 sqm



FRONT ELEVATION



SIDE ELEVATION (RIGHT)

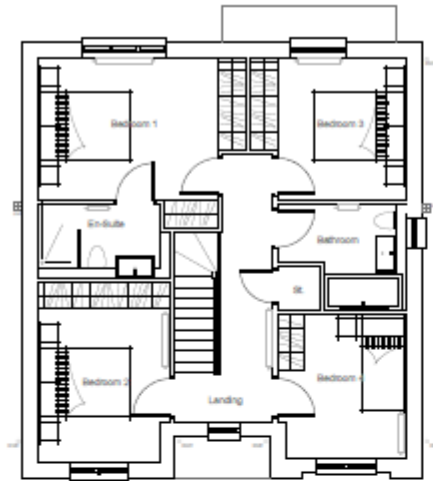


REAR ELEVATION



SIDE ELEVATION (LEFT)

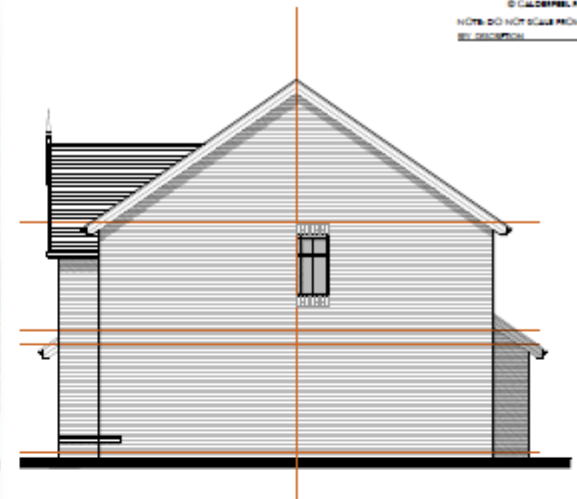
Housetype C – 3 bed semi detached



FIRST FLOOR
70.27 sqm



FRONT ELEVATION



SIDE ELEVATION (RIGHT)



GROUND FLOOR
TYPE E
54.85 sqm



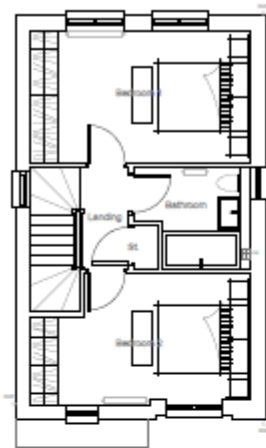
REAR ELEVATION



SIDE ELEVATION (LEFT)

Housetype E – 4 bed detached

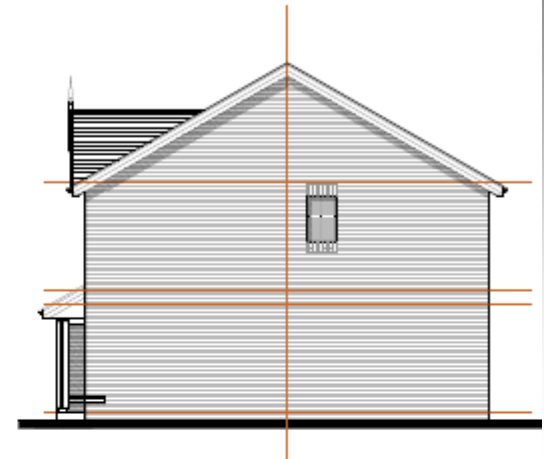
TYPE G (2 BED)- 858sq.ft



FIRST FLOOR
39.66 sqm



FRONT ELEVATION



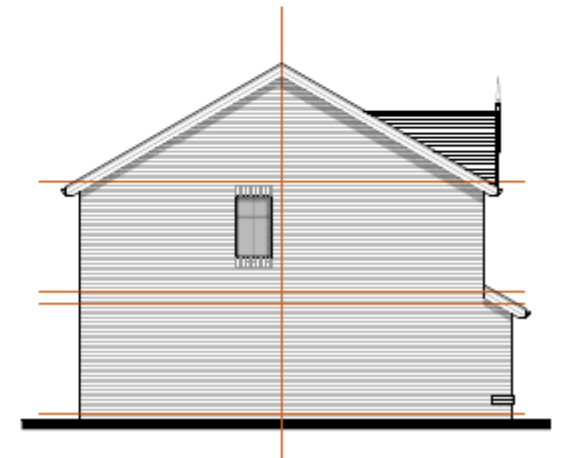
SIDE ELEVATION (RIGHT)



GROUND FLOOR
TYPE G
39.61 sqm

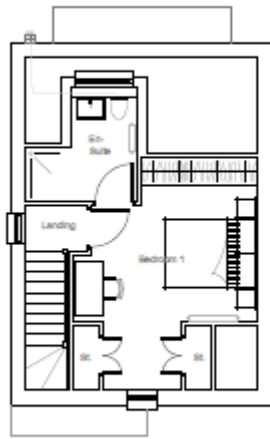


REAR ELEVATION



SIDE ELEVATION (LEFT)

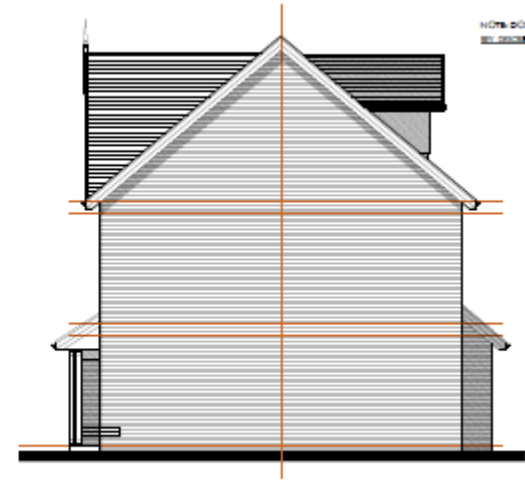
Housetype G – 2 bed terrace



SECOND FLOOR
21.19 sqm



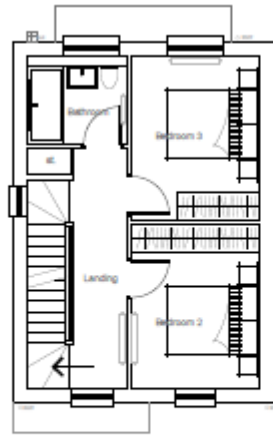
FRONT ELEVATION



SIDE ELEVATION (RIGHT)



GROUND FLOOR
TYPE M
41.1sqm



FIRST FLOOR
37.5 sqm



REAR ELEVATION



SIDE ELEVATION (LEFT)

Housetype M – 3 bed terrace



Apartment - Front Elevation



Apartment - Rear Elevation



Apartment - Side Elevation 1



Apartment - Side Elevation 2

Housetype T – 2 bed apartments



Proposed Street Scene

Illustrative Street Scene View



View within the site



Photographs from Rhuddlan Road

WARD : Bodelwyddan

WARD MEMBER(S): Councillor R. Metri (C)

APPLICATION NO: 40/2021/0825/ PF

PROPOSAL: Erection of 108 dwellings, construction of a new vehicular access and associated works

LOCATION: Land opposite Glan Clwyd Hospital Rhuddlan Road
Bodelwyddan Rhyl

APPLICANT: Mr D Wilkinson Pure Residential And Commercial Ltd.

CONSTRAINTS: PROW

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

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

- Referral by Head of Planning / Development Manager

CONSULTATION RESPONSES:

BODELWYDDAN TOWN COUNCIL
No response received

NATURAL RESOURCES WALES
No objection

DWR CYMRU / WELSH WATER
No objection, subject to the inclusion of conditions relating to asset protection and foul drainage

CLWYD POWYS ARCHAEOLOGICAL TRUST
Original consultation response

"While there are currently no recorded archaeological sites within the plot it is surrounded by fields with a high archaeological potential. The fields to the south have recorded metal detector finds of Roman and post medieval date. The Roman finds in particular are of relevance to the numerous Romano-British period enclosures found in fields to the east during prior evaluation for the large KSS development site. The geophysics and evaluation trenching on the KSS site also revealed earlier Bronze Age ritual and funerary monuments and later medieval and post medieval field systems. The National Monuments Record, RCAHMW carries a record in the field to the east of post medieval field systems appearing as cropmarks, which clearly continued west into the development area.

We consider that associated archaeology related to all of the sites listed above may be preserved as sub-surface archaeology in this development area.

The proposed development will disturb any such remains surviving here, but from present knowledge it is impossible to estimate how damaging this might be, and thus to frame an appropriate archaeological response. The planning authority appears to have insufficient information about this archaeological resource, or the applicant's intended treatment of it, to make a balanced decision. As archaeology is a material consideration here, I would advise that this application is not determined until this resource has been properly assessed."

Re-consultation response

"Further to our previous correspondence recommending pre -determination evaluation at this site I have now received the combined DBA and Geophysical Survey report from the archaeological contractors. The geophysical survey section clearly identifies a number of circular and sub-circular features in the northern half of the field (F5, F6) which are characteristic of prehistoric ring ditch burial mound sites , or possibly round houses. These features need to be investigated further at the pre -determination stage so that we can confirm their identification and advise on appropriate mitigation . It is suggested that 7 trenches across these features would be required which will be 1.8m wide max, of varying length and will extend 5 metres beyond the outer edge of each feature".

Final consultation response

"The results of the trenching confirmed that there are no prehistoric features present in the area of the curving anomalies on the geophysics which largely turned out to be natural features. A number of other features are all post medieval and related to former field boundary ditches or drainage features. No significant archaeology was confirmed on the site which would warrant further investigation and we would therefore have no additional requirements".

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection subject to the inclusion of conditions. Highways Officers have given consideration to the following elements of the proposal;

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

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

- *Site Plans*
- *Transport Assessment*
- *Road Safety Audit*

Capacity of Existing Network

Criteria viii) of Policy RD 1 advises that proposals should not have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and incorporates traffic management/calming measures where necessary and appropriate.

As part of the detailed Transport Assessment provided by the developer, four major junctions were assessed. These included Rhuddlan Road/ Proposed Site Access priority controlled junction, Rhuddlan Road/ Hospital Access priority controlled roundabout, Ffordd Abergele/ Rhuddlan Road/ North Wales Expressway priority controlled roundabout and Engine Hill/ North Wales Expressway priority controlled roundabout.

As per typical guidance, a future assessment year of 2026 was adopted for the Transport Assessment (i.e. based on the year of application + 5 years for developments outside of the strategic road network).

Proportional impact assessments were undertaken to assess the traffic impact of the development on the aforementioned major junctions in proximity to the development. The proportional impact assessment is utilised to identify junctions that have the potential to experience a significant increase in vehicular flow as a result of the development proposals. The assessment has shown that the proposed development will have an impact of less than 5% on all arms of the junctions assessed.

Having regard to the scale of the proposed development, the existing highways network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highways network in terms of capacity.

Collision data has also been provided for the latest 5-year period. Two slight personal injury accidents have been recorded on the local highway network in the vicinity of the site during the study period. The two accidents identified occurred at varying locations within the study area, which highlights the lack of any particular accident cluster spot.

Accessibility

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

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

A detailed assessment of the accessibility of the site by non-car modes of transport has been provided in the Transport Assessment. As summarised in the assessment, the site is considered to be well served by all major non-car modes of transport.

In addition to the new proposed site access arrangements which are discussed in more detail later in this response, it is also proposed to enhance the sites connectivity with the surrounding facilities by introducing further off site highway works which will include:

- Toucan Crossing on Rhuddlan Road
- segregated cycleway/ footway from the development site to the Toucan Crossing
- widening of the existing shared cycleway/footway on the hospital side of the proposed Toucan Crossing to form a segregated route into the hospital.
- Having regard to the location of the existing site and existing arrangements it is considered that the proposals are acceptable in terms of accessibility and the policy requirements identified above.

Site Access

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

The proposed site access will take the form of a priority-controlled junction with ghost island right turn facility off Rhuddlan Road.

The right turn facility which will be delivered through the realignment of the western kerb line along Rhuddlan Road will ensure vehicles accessing/egressing the development can in a manner which does not cause disruption to the operational performance of Rhuddlan Road or the hospital roundabout junction.

A Stage 1 Road Safety Audit has been undertaken and submitted as part of the Transport Assessment. Stage 1 Road Safety Audits are undertaken at the completion of preliminary design and where possible, before planning consent is granted. Material safety concerns

raised in the audit have been addressed by the developer in the form of a Designers Response.

Stage 2 Road Safety Audits are undertaken at completion of the [detailed design](#) stage of the works. The Audit Team will be able to consider the layout of junctions, position of signs, carriageway markings, lighting provision and other issues. As part of the detailed design of the access and submission of the relevant information required for the Highways Section Agreement, a Stage 2 Road Safety Audit will be requested.

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

Site Layout (including roads, pavements, manoeuvring, lighting etc.)

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

- Specific design guidance is contained within the following documents;
- Manual for Streets
- Denbighshire County Council Highways and Infrastructure: Minimum Specification for the Construction of Roads Serving Residential Development and Industrial Estates
- Denbighshire County Council: Specification for Highway Lighting Installations
- Denbighshire County Council: General Requirement for Traffic Signs and Road Markings

The proposed site will have a main internal estate road, measuring 5.5m in width, which is accessed from Rhuddlan Road. 2.0m footways/service margins will be provided throughout the site. In order to demonstrate that the site can be serviced sufficiently, swept path analysis of a large 4-axle refuse vehicle has been undertaken at the site access and at the turning heads within the site. The swept path analysis demonstrates that a vehicle of this size can enter the site via the site access, turn within the site at appropriate points, and exit the site in a forward gear.

Having regard to the detailed assessments above, taking into consideration the capacity of the existing highway network, accessibility, site access and site layout, Highways Officers would see no reason to object to the proposed development, subject to appropriate conditional controls.

Re-consulted response
No amended comments

Footpaths Officer

Original consultation response:

Clarification required in relation to the impact of the proposal on the public footpath and how provision will be made on the development site.

Re-consultation response

No objection, the amended plan containing additional information in relation to the footpath provision over comes previous comments.

Conservation Officer

No objection

County Ecologist

No objection subject to the inclusion of conditions 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.

Flood Risk Engineer

Confirms SAB approval will be required

Strategic Housing & Policy Officer

Original response

No objection

The application site is within the development boundary of Bodelwyddan and part of a much larger mixed-use site under LDP Policy BSC 5 'Key Strategic Site - Bodelwyddan', see LDP Proposals Map for Bodelwyddan. In strict policy terms, the proposal does not comply with all the individual criteria contained in local policy BSC 5 and the requirements of the Site Development Brief.

There is however the need to consider the application in light of the fact that the Key Strategic Site, or even parts of it, will not be delivered in the lifetime of the adopted LDP 2006 – 2021. Whilst the application site was not covered by lapsed outline planning permission ref. 40/2013/1585, there is no prospect of any development taking place on the Bodelwyddan Key Strategic Site (BKSS) in the next 12 to 24 months. Delivering the proposal in its entirety as required by local policy and in line with the Site Development Brief will heavily depend on external funding for installing the necessary infrastructure provision.

Having been confident in the delivery of the BKSS at the time of LDP adoption, the Council did not allocate any other site for residential use in the settlement to allow for alternative, albeit modest, growth. The LDP Proposals Map merely depicts a single residential site designation that reflects an extant planning permission in 2013. Covid 19 has furthermore caused delays to the production of the replacement LDP; with no certainty on any future residential allocations in Bodelwyddan at this point in time. Strategic Planning & Housing is not opposed to the proposed development when considering the proposal in light of the already substantial delays in delivering the Bodelwyddan Key Strategic Site and the limited information on future site allocations in the replacement LDP..

Re-Consultation response

No objection (revised commuted sums provided)

Tree Specialist

Preference for trees T1 and T5 to be retained, queries in relation to surfacing and tree protection methods, landscaping and visibility splays. Suggest amendments to protect root protection areas. All landscaping details should be submitted.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

1. Mr & Mrs Collins, 12, Marble Church Grove, Bodelwyddan
2. Mr Stephen Dawson, 9 The Village, Bodelwyddan

Summary of planning based representation in objection:-

Highways

Concerns that the access is very dangerous by the hospital and on a busy road.

On the main road between the new access road and the Hospital roundabout, there appears to be a provision for a pedestrian crossing, suggests that an Officer from the highways department visits the site between 8.00 am and 9.00am or 4.30 pm and 5.30 pm to estimate the amount of chaos this would cause if sited here.

108 houses will require at least double the number of parking spaces per unit, some units may

require more than 2. As parking at the Hospital is at a premium has any consideration been given to where people will look first for parking if they can't find a space in the Hospital car parks?

Drains

Concerns about drains in the area as always being dug up and new development will bring more problems

EXPIRY DATE OF APPLICATION: 05/10/2022

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 This application was deferred from the 5th September, 2022 Planning Committee meeting to allow further information to be presented to Members in relation to the future of the Key Strategic Site (KSS) as an adopted allocation in the Local Development Plan and also how further applications for housing/development could be considered without the infrastructure as set out in the Policy and Site Development Brief.

Full planning permission is sought for the erection of 108 dwellings, construction of a new vehicular access and associated works on land opposite Glan Clwyd Hospital on Rhuddlan Road in Bodelwyddan.

- 1.1.2 The proposal includes a mix of 13 different housing types consisting of detached, semi detached, terraced housing and apartments. The majority of properties are 2 storey with some 2.5 storey and 3 storey.

The open market housing mix is as follows:-

Housing Type	No of units	Percentage
2 bed houses and apartments	40	41%
3 bed houses	45	46%
4 and 5 bed houses	13	13%
Total	98	100%

- 1.1.3 In addition to the 98 market dwellings, 10 dwellings would be provided on site as affordable housing units. 4 no 1 bed apartments for social rented and 6 no properties for intermediate rent (5no. 2 beds and 1 no. 3 bed). A commuted sum is offered for the remaining 0.8.
- 1.1.4 The properties would be constructed using a variety of facing bricks, with grey concrete roof tiles and some house types are shown to have stone detailing.
- 1.1.5 The proposed site access is shown to be a priority-controlled junction with ghost island right turn facility off Rhuddlan Road. The right turn facility would be delivered through the realignment of the western kerb line along Rhuddlan Road. A Toucan Crossing is proposed on Rhuddlan Road with segregated cycleway/ footway from the development site to the crossing.
- 1.1.6 New internal estate roads and footpaths are proposed within the site, and parking would be provided for each dwelling.
- 1.1.7 A total of 1627sqm of public open space is proposed as Children's Play Space.

- 1.1.8 Foul water would connect to the mains sewer. A Drainage Strategy has been submitted to show the likely connection point to the mains sewer on the opposite side of Rhuddlan Road.
- 1.1.9 Surface water drainage is proposed to discharge to an existing watercourse. An onsite sustainable drainage system incorporating permeable paving and onsite attenuation storage facilities is proposed to attenuate surface water onsite, and then surface water would be discharged to the watercourse at greenfield runoff rates.
- 1.1.10 The proposed site layout is shown on the plan below:



- 1.1.11 Example house types are below:

Detached (Open market):



Semi detached (Open Market)



Apartments (Open Market and Affordable)



1.2 Other relevant information/supporting documents in the application

1.2.1 In addition to the existing and proposed plans, the following documents have been submitted with the application:

- Planning, Design and Access Statement
- Pre-Application Consultation (PAC) Report
- Preliminary Ecological Appraisal and Bat Survey
- Flood Consequences Assessment and Drainage Strategy
- Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement
- Transport Assessment and Framework Travel Plan
- Archaeological Assessments

1.3 Description of site and surroundings

1.3.1 The application site consists of approximately 3.3ha of agricultural land located to the west of Bodelwyddan and directly opposite Ysbyty Glan Clwyd.

1.3.2 The site is relatively flat and is bounded by hedgerows and trees on all sides.

1.3.3 To the north, west and largely the south boundaries of the site is open countryside with the remaining part of the south boundary adjoining 1, Rhuddlan Road which is a residential property. Immediately to the east is Rhuddlan Road with Ysbyty Glan Clwyd beyond.

1.3.4 Along the eastern boundary of the site is Public Right of Way no 3.

1.4 Relevant planning constraints/considerations

1.4.1 The site is within the development boundary for Bodelwyddan and is part of the Key Strategic Site (KSS) allocation (Policy BSC 5)

1.5 Relevant planning history

1.5.1 None on the site

1.6 Developments/changes since the original submission

1.6.1 Amendments to the layout have been made following discussions with the Highways Officer including Public Rights of Way Officer, the Tree Officer and the Strategic Housing and Policy Officer in relation to the Affordable Housing provision.

1.6.2 Archaeological assessments were also required pre-determination.

1.7 Other relevant background information

1.7.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 No history on the site itself.

Adjacent site – Key Strategic Site (KSS)

40/2013/1585/PO - Outline planning application for the development of 1,715 dwellings including affordable dwellings, up to 80 bed care home and 50 close care flats (Class C2 use), up to 100 bedroom hotel (Class C1 use), new primary school, 2 local centres (including Class A1, A2, A3, C3, D1 and D2 uses), 26 hectares of employment land (comprising a mix of B1, B2 and B8 uses), new highway infrastructure including the formation of a new access and a link between A55 Junction 26 and Sarn Road, pedestrian and cycle routes, areas of formal and informal open space, green space and structural landscaping and drainage infrastructure

GRANTED by Planning Committee subject to Section 106 agreement.
Decision Dated 21st March, 2016. **PERMISSION LAPSED.**

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

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

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy BSC5 – Key Strategic Site Bodelwyddan

Policy BSC11 – Recreation and open space

Policy VOE 1 – Key Areas of Importance

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

Policy ASA1 – New transport infrastructure

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: [Access For All](#)

Supplementary Planning Guidance Note: [Affordable Housing](#)

Supplementary Planning Guidance Note: [Conservation and Enhancement of Biodiversity](#)

Supplementary Planning Guidance Note: [Parking Requirements In New Developments](#)

Supplementary Planning Guidance Note: [Planning Obligations](#)

Supplementary Planning Guidance Note: [Planning and the Welsh language](#)

Supplementary Planning Guidance Note: [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](#)

Supplementary Planning Guidance Note: [Trees & Landscaping](#)

Site Development Brief Bodelwyddan Key Strategic Site (July 2014)

Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes

TAN2: Planning and Affordable Housing (2006)

TAN 5 Nature Conservation and Planning (2009)

TAN 12 Design (2016)

TAN 20 Planning and the Welsh Language (2017)

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.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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 Density and housing type and mix
- 4.1.3 Affordable Housing
- 4.1.4 Visual amenity
- 4.1.5 Residential amenity
- 4.1.6 Ecology
- 4.1.7 Drainage (including flooding)
- 4.1.8 Highways (including access and parking)
- 4.1.9 Open Space
- 4.1.10 Education
- 4.1.11 Impact on Welsh Language and Social and Cultural Fabric
- 4.1.12 Archaeology

4.2 In relation to the main planning considerations:

- 4.2.1 Principle
Planning Policy Wales, Edition 11 (PPW 11) states planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise.

Denbighshire Local Development Plan (LDP) is the statutory development plan for the area.

The site is located within the development boundary of Bodelwyddan (Policy RD 1).

Policy BSC3 of the LDP sets the basic requirement for development to contribute where relevant to the provision of infrastructure including affordable housing, in line with Policy BSC4.

Policy BSC 5 of the local development plan identified land at Bodelwyddan as a Key Strategic Site to include the following key elements: - 1715 dwellings; education, training and health provision; 26 hectares of Class B1, B2 and B8 serviced employment land and units; a new highway network and other off-site improvements; on-site community facilities, open space and retail provision; safeguarding and enhancement of any area/species of nature conservation importance; pedestrian and cycle facilities; new public transport links; sustainable building materials, energy and water efficiency; consideration of the linguistic, cultural and social character of the area and integration of the development into the landscape.

The application site is within the development boundary of Bodelwyddan and part of the much larger mixed-use site allocated as a Key Strategic Site (KSS) by Policy BSC 5 in the Local Development Plan. Within the illustrative masterplan contained within the Site Development Brief (SDB), the application site is designated for residential use.

In strict policy terms, the proposal does not comply with all the individual policy tests contained within Policy BSC 5 and the requirements of the SDB. There is however the need to consider the application in light of the fact that the KSS, or even part of it, will not be delivered in the lifetime of the adopted LDP (2006 – 2021). Whilst the application site was not included within the lapsed outline planning permission (as detailed above in the planning history section), there is no prospect of any development taking place on the KSS and delivering the site in its entirety as required by the policy/SDB will be heavily dependent on external funding to install the necessary infrastructure.

Furthermore, in allocating the KSS and being confident on its delivery, no other land was allocated in Bodelwyddan for residential development to allow for an alternative, modest growth level. The Covid-19 pandemic has also caused delays in the production of a replacement LDP with no certainty on any future allocations in Bodelwyddan at this point in time.

This application site, whilst it forms part of the KSS allocation, did not form part of the lapsed outline planning permission. The application now being considered has been submitted as a standalone, full/detailed planning application which is in separate ownership/control and is not dependant on the rest of the KSS site coming forward. Furthermore, no objections have been raised by statutory consultees. However, concerns have been raised that the principle of allowing the development of part of the Key Strategic Site allocation could undermine the delivery of the KSS – and therefore not provide the infrastructure improvements (such as drainage and highway improvements) should the KSS be delivered in its entirety.

In relation to the foul sewage, Dwr Cymru Welsh Water (DCWW) have raised no objection to this proposal for 108 dwellings, which would connect to the existing public sewerage system. However in order to deliver the KSS, significant new infrastructure would be required and would include a new sewer link to the Kinmel Bay treatment works. If in future, further development proposals on the KSS site were to be submitted, DCWW would be consulted and advise on the acceptability of the proposal and whether any new drainage infrastructure would be required. DCWW's advice would be based on the scale of the development proposed and the capacity of the network at that time.

In relation to highway works, Highways Officers have raised no objection to the proposal which includes a single new vehicular/pedestrian access off Rhuddlan Road. The lapsed KSS outline permission provided new highway infrastructure including the formation of a new access and a link between A55 junction 26 and Sarn Road which

was further north and outside of the application site. The current application would be served by its own access however shows possible access routes through to the KSS/land beyond should it be required in future and does not prevent the link previously approved (lapsed) being achieved should it ever be required.

In relation to affordable housing, 10 on site affordable dwellings are proposed which includes 4 no 1 bed apartments for social rent and 6 no. properties for intermediate rent. A commuted sum of £90,187.68 is also proposed.

In relation to open space, some public open space is being provided on site with the remaining provision being met by a commuted sum, totalling £69,385.37.

In relation to education contributions, to accommodate additional pupils arising from the development at primary school level, a financial contribution of £336,000 will be required.

Therefore having regard to the above, there are no objections in principle to the development of housing on the site subject to the relevant contributions being secured (as summarised above and set out in further detail below). Whilst in strict policy terms, the proposal does not comply with all the individual policy tests contained within Policy BSC 5 (and the requirements of the SDB) this application is a standalone full application which has a degree of certainty of being delivered. The proposal would provide 108 much needed new homes in the County including 10 affordable dwellings on site along with all the necessary financial contributions towards affordable housing, open space and education.

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 Density and housing type and mix

Policy RD1 test ii) seeks to make the most efficient use of land and advocates a minimum density of 35 dwellings per hectare unless there are local circumstances that dictate a lower density.

Supplementary Planning Guidance Note 'Residential Development' reinforces the need for developments to make the best use of land available for residential development in line with Policy RD 1.

Density

Applying the density figure of 35dph referred to in Policy RD1 to the site area of 3.3ha would give a total of 116 dwellings. 108 dwellings are proposed, this would represent a density of 33 dwellings per hectare. Officers consider the proposed density is appropriate.

Housing Type and Mix

Policy BSC1 sets out that '*Developers will be expected to provide a range of house sizes, types and tenure to reflect local need and demand and the results of the Local Housing Market Assessment.*' This requirement goes beyond the provision of market and affordable houses, and includes the mix of houses addressing the findings and results of the latest Local Housing Market Assessment (LHMA).

The proposed development will comprise the following housing mix in comparison to the recommended mix within the latest Local Housing Market Assessment (LHMA).

Housing Mix				
	1 + 2 bed	3 bed	4 bed+	Total
LHMA Recommending Housing Mix (Market Housing)	30%	35%	35%	100%
Land opposite Ysbyty Glan Clwyd proposal	41%	46%	13%	100%

There are no objections to the proposal based on the density and number of dwellings proposed.

The mix of housing is weighted towards smaller properties to address the need for starter homes and properties that could be suited to the elderly.

The housing mix is considered acceptable offering a range of house types; sizes, and tenures to meet the requirements of LDP Policy BSC 1 and RD 1.

Having regard to the above, it is considered that the proposals would provide for an appropriate density, mix and type of dwellings, consistent with the intentions of Policy BSC1 and RD1.

4.2.3 Affordable Housing

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

10 affordable dwellings are proposed as part of the development with a commuted sum offered for the 0.8 which is in accordance with the 10% requirement set out in Policy BSC4. The proposal is to provide 4 no 1 bed apartments for social rented (plots 76, 77,78 and 79) and 6 no. properties for intermediate rent consisting of 1 no. 2 bed apartments, 4 no. 2 bed houses and 1 no. 3 bed house (plots 4, 14, 37,41,68 and 73). A commuted sum is offered for the remaining 0.8 which based on the calculation in the Affordable Housing SPG (Appendix 2) amounts to £90,187.68.

The Strategic Housing & Policy Officer confirms that this level and type of affordable housing provision reflects the affordable housing need in the area. In relation to the 1 bed apartments for social housing, it is noted that the ground floor apartments are 50sqm and not 53sqm as required by Welsh Development Quality Standards. However, Officers are satisfied with the design of the units which are well designed and integrated within the development and the reduction is within the 5% floorspace tolerance and therefore deemed acceptable.

The provision of affordable housing is a policy requirement and it is recommended that should permission be granted, that it be subject to a Section 106 legal agreement to secure the delivery of the 10 affordable dwellings and payment of £90,187.68 commuted sum. This would need to be completed prior to the decision notice being released.

4.2.4 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.

There are no objections to the proposal based on potential visual impacts arising from the development.

The layout of the site and the design of the housing proposed can be seen from the layout and house type plans included within/and at the front of this report.

Officers accept that there will inevitably be some visual amenity impact from housing development in this location which is currently a greenfield site. However, overall the layout and submitted detail demonstrates that an acceptable standard of development can be achieved. The mix of house types across the site are considered to be acceptable and conditions requiring approval of the specific external materials and landscaping details would be required to ensure an appropriate standard and quality of development.

The proposal includes provision of public open space within the site with existing hedgerows and trees around the boundaries of the site largely being retained, with the exception of part of the hedgerow along the road frontage and 2 category 'C' trees within the site. Part of the hedgerow along the road frontage will require removal to form a new vehicular access on to Rhuddlan Road and adjacent to the new access it is proposed to form new stone walls.

An indicative landscaping scheme has been submitted showing additional planting throughout the site and a condition would be required to secure the details, which would include details of all boundary details along with hard and soft landscaping throughout the site.

In conclusion, having regard to the location, siting, scale and form of the development subject to conditions, Officers do not consider the proposal would give rise to unacceptable impacts on visual amenity and the proposal is considered to be in accordance with adopted planning policy.

4.2.5 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.

The Residential Design Guidance and the Residential Development SPG offers advice and guidance on the principles to be adopted when designing new residential development.

No representations have been received raising residential amenity concerns.

Immediately to the north and east of the site is open countryside. Opposite the site to the west is Rhuddlan Road and Ysbyty Glan Clwyd beyond with car parking, hospital buildings and accommodation opposite the site. Largely the south boundary of the site is open countryside with the remaining part of the boundary adjoining 1, Rhuddlan Road which is a single storey residential property located in a row of residential properties.

The adjoining residential properties faces Rhuddlan Road and no 1 is set back in to its curtilage with the side boundary of the property and garden adjoining the application site with access and parking at the front.

In terms of the dwellings proposed, the proposed floor plans for each housing type would meet or exceed the minimum floor space standards set out in the Residential Space Standards SPG and the proposed site plans show sufficient garden and parking space is provided.

In terms of the impact on existing residents, the siting, orientation and separation distances shown ensure there would be no unacceptable levels of overlooking and avoid the proposal giving rise to adverse impacts on existing residents on Rhuddlan Road.

In conclusion, having regard to the layout and the separation distances proposed, there are no residential amenity concerns.

4.2.6 Ecology

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

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2) current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

No representations have been received raising concerns over the ecological impacts of the development.

Ecological Surveys have been submitted with the application and neither NRW nor the County Ecologist have raised an objection to the proposal. However, the County Ecologist has recommended that conditions are attached to ensure there are no negative impacts on protected species or the nature conservation value of the site and to ensure all reasonable steps have been taken to maintain and enhance biodiversity.

The County Ecologist has recommended conditions including the submission of an Ecological Compliance Audit, detailed landscaping scheme and external lighting scheme for approval by the Local Planning Authority. It is also recommended that a condition is attached ensuring access for hedgehogs and also ensuring that provision is made for roosting bats and nesting birds.

Officers consider the suggested conditions to be reasonable to ensure 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. Subject to the inclusion of these conditions on any permission, it is suggested ecological interests can be suitably protected in relation to a development on this site.

4.2.7 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 Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

A representation has been received from a local resident with a concern about drains in the area and has concerns that new development will make it worse.

The site is not within an area of known flood risk. The application is supported by a Drainage Strategy which sets out the drainage principles to be adopted for the site.

Foul water is shown to connect to the existing public system with surface water drainage proposed to convey flows via gravity to the north and discharge into the existing watercourse at greenfield rate. Surface water run-off from roofs, private drives and adoptable highways will drain via a piped network to an attenuation facility which will provide attenuation storage for all flows. SuDS features such as filter drains and permeable paving will be incorporated into the surface water drainage proposals.

Dwr Cymru/ Welsh Water (DCWW) have not raised any objections to the proposal with no concerns raised regarding the proposal to connect the foul drainage to the existing public system, subject to the inclusion of conditions.

The Council's Flood Risk Manager has advised that approval will be required from the SUDs Approval Body (SAB) which is a completely separate process to planning and is covered by drainage legislation. SAB will control, and will only be approved if the drainage details are acceptable and kept below greenfield run off rates. The development could not proceed without SAB first being in place. It is stressed that these regulatory controls are parallel to and outside of the planning process.

Given the comments of the technical consultees, it is considered reasonable to assume that an acceptable drainage scheme can be achieved on the site and delivered through the SuDS Approval Body process. The proposals are therefore considered acceptable in relation to drainage.

4.2.8 Highways (including access and parking)

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

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

These policies reflect general principles set out in Planning Policy Wales (PPW 11) and TAN 18 – Transport, in support of sustainable development.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

There is a local representation concerning the highway impacts of the proposal and is concerned that the access is very dangerous by the hospital and on a busy road.

The Highway Officer's response on the application is set out in detail in the Consultation Responses section of the report. It refers to a range of issues relating to the application including the capacity of the existing network, accessibility, the detailing of the site access, aspects of the site layout, and parking matters. The main points of relevance are:

Capacity of Existing Network

As part of the detailed Transport Assessment provided by the developer, four major junctions were assessed. These included Rhuddlan Road/ Proposed Site Access priority controlled junction, Rhuddlan Road/ Hospital Access priority controlled roundabout, Ffordd Abergele/ Rhuddlan Road/ North Wales Expressway priority controlled roundabout and Engine Hill/ North Wales Expressway priority controlled roundabout.

As per typical guidance, a future assessment year of 2026 was adopted for the Transport Assessment (i.e. based on the year of application + 5 years for developments outside of the strategic road network).

Proportional impact assessments were undertaken to assess the traffic impact of the development on the aforementioned major junctions in proximity to the development. The proportional impact assessment is utilised to identify junctions that have the potential to experience a significant increase in vehicular flow as a result of the development proposals. The assessment has shown that the proposed development will have an impact of less than 5% on all arms of the junctions assessed.

Collision data has also been provided for the latest 5-year period. Two slight personal injury accidents have been recorded on the local highway network in the vicinity of the site during the study period. The two accidents identified occurred at varying locations within the study area, which highlights the lack of any particular accident cluster spot.

Accessibility

A detailed assessment of the accessibility of the site by non-car modes of transport has been provided in the Transport Assessment. As summarised in the assessment, the site is considered to be well served by all major non-car modes of transport.

In addition to the new proposed site access arrangements which are discussed in more detail later in this response, it is also proposed to enhance the sites connectivity with the surrounding facilities by introducing further off site highway works which will include:

- * Toucan Crossing on Rhuddlan Road
- * Segregated cycleway/ footway from the development site to the Toucan Crossing
- * Widening of the existing shared cycleway/footway on the hospital side of the proposed Toucan Crossing to form a segregated route into the hospital.

Having regard to the location of the existing site and existing arrangements it is considered that the proposals are acceptable in terms of accessibility.

Site Access

The proposed site access will take the form of a priority-controlled junction with ghost island right turn facility off Rhuddlan Road.

The right turn facility which will be delivered through the realignment of the western kerb line along Rhuddlan Road will ensure vehicles accessing/egressing the development can in a manner which does not cause disruption to the operational performance of Rhuddlan Road or the hospital roundabout junction.

A Stage 1 Road Safety Audit has been undertaken and submitted as part of the Transport Assessment. Stage 1 Road Safety Audits are undertaken at the completion of preliminary design and where possible, before planning consent is granted. Material safety concerns raised in the audit have been addressed by the developer in the form of a Designers Response.

Stage 2 Road Safety Audits are undertaken at completion of the detailed design stage of the works. The Audit Team will be able to consider the layout of junctions, position of signs, carriageway markings, lighting provision and other issues. As part of

the detailed design of the access and submission of the relevant information required for the Highways Section Agreement, a Stage 2 Road Safety Audit will be requested.

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

Site Layout (including roads, pavements, manoeuvring, lighting etc.)

The proposed site will have a main internal estate road, measuring 5.5m in width, which is accessed from Rhuddlan Road. 2.0m footways/service margins will be provided throughout the site. In order to demonstrate that the site can be serviced sufficiently, swept path analysis of a large 4-axle refuse vehicle has been undertaken at the site access and at the turning heads within the site. The swept path analysis demonstrates that a vehicle of this size can enter the site via the site access, turn within the site at appropriate points, and exit the site in a forward gear.

In terms of impacts to Public Rights of Way there is a footpath along the eastern boundary of the site which will be retained and access maintained. The layout of the site has been amended slightly in liaison with the Public Rights of Way (PROW) Officer. The PROW Officer is satisfied that the development does not provide any disadvantageous impact to the path users on the route of Path 3 as it crosses the site.

Having regard to the detailed assessments above, taking into consideration the capacity of the existing highway network, accessibility, site access and site layout, Highways Officers would see no reason to object to the proposed development, subject to appropriate conditional controls.

4.2.9 Open Space

Policy BSC 11 specifies that all 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 in March 2017 sets out thresholds for onsite 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.

The proposal is for 108 units which generates the requirement for 5961.6 square metres of public open space, made up of 3,974.4 square metres of Community Recreational Open Space (CROS) and 1,987.2 square metres of Children's Play Space (CPA).

The proposal is to provide 1627sqm of Children's play space on site, to be located in 2 areas. One towards the front of the site near the access, and the other located centrally within the site. The remaining CPA and CROS provision is proposed by way of a commuted sum which would be paid towards enhancing existing open spaces in the area. The commuted sum payment required for the shortfall in on site provision would be £69,385.37.

The on-site open space management arrangements would need to be secured by a condition. Officers are satisfied with the approach to open space subject to a condition securing management arrangements and a legal agreement to secure the relevant commuted sums.

4.2.10 Education

Objective 12 of Chapter 4 of the Local Development Plan identifies that the Plan will ensure that an adequate level of community infrastructure (including schools) will be provided alongside new developments. Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development.

Paragraph 5.26 of the site development brief states that financial contributions towards education provision will be not be required.

The Education Officer has confirmed that based on the latest school roll information available for Ysgol y Faenol (nearest Primary School) and Ysgol Glan Clwyd (nearest High School) to accommodate any additional pupils arising from the development, a financial contribution of £336,000 will be required to accommodate the additional pupils in the local primary school. There is no need to seek any contributions towards secondary school places.

Officers therefore conclude that there is insufficient capacity within the local primary school to accommodate the development, and accordingly a commuted sum is required in this instance and should be secured by a Section 106 agreement.

4.2.11 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 11); TAN 20 and Policy RD 5 of the Local Development Plan.

TAN 20 (2017) provides the most up to date guidance on the consideration of the Welsh Language and paragraph 3.1.3 states that planning applications should not routinely be subject to Welsh Language impact assessment, as this would duplicate the Sustainability Appraisal (SA) and LDP site selection process. An assessment of the impacts to the Welsh Language of a development at this site would therefore have been undertaken during the site allocation process at the plan preparation stage of the adopted LDP.

There are no representations expressing concerns over the potential impact of the development on the Welsh language.

The planning system does not attempt to discriminate between individuals on the basis of their linguistic ability nor control housing occupancy on linguistic grounds. According to the Welsh Language SPG, a housing survey carried out in 2011 by the Authority revealed that 67% of the people living in new-build housing in the County had moved from within Denbighshire with an additional 27% from elsewhere in Wales. Of the new occupants 24.9% were fluent Welsh speakers which is very similar to the overall 2011 census figure of 24.6%. This survey strongly indicates that a high percentage of new occupants were either County residents or from other areas of Wales (New Housing Occupancy Survey Denbighshire: December 2011).

A Community Linguistic Assessment has not been submitted or requested in this instance as the Site Development Brief (SDB) for the KSS, which includes this site, explains that an assessment has been undertaken as part of the LDP process. A number of mitigation measures are set out within the SDB which relate to the whole KSS site, and whilst they are considerably more relevant to the whole KSS site, the applicant supports the broad principles. It is suggested that a condition is attached to any permission which requires the submission of a strategy which sets out mitigation measures to reduce adverse linguistic, social and cultural effects.

The Council is also keen that new development sites have historically and culturally relevant names when proposing new names for streets in the County and Welsh Street names will be put forward for consideration.

It is not considered that this development proposal will have a significant impact on the linguistic and cultural character of the area.

4.2.12 Archaeology

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

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales (PPW 11), Section 6 'Distinctive and Natural Places' recognises the need to conserve archaeological remains. The consideration of archaeological remains and their setting is a material planning consideration in determining planning applications, whether those remains are a scheduled monument or not.

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

The applicant has submitted a desk based Archaeological Assessment and an Archaeological Field Evaluation Report. Clwyd Powys Archaeological Trust (CPAT) have been consulted and have raised no objection to the proposal.

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 The report sets out the main planning issues which appear relevant to the consideration of the application on an allocated housing site within the adopted LDP and concludes that the proposal is acceptable having regard to relevant policies and guidance.
- 5.2 It is therefore recommended that Members resolve to grant permission subject to :
 1. Completion of a Section 106 Obligation to secure the Affordable housing provision (10 affordable dwellings and a commuted sum of £90,187.68); an Education contribution of £336,000 and an open space contribution of £69,385.37.

The precise wording of the Section 106 would be a matter for the legal officer to finalise. In the event of failure to complete the Section 106 agreement within 12 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

2. Compliance with the following Conditions:

The Certificate of Decision would not be released until the completion of the Section 106 Obligation.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than INSERT DATE (5 years from date of S106 completion)

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:

Plans:

- (i) Apartment Type R (Drawing No. 20041 (PL) 120 A) received 9 August 2021
- (ii) Apartment Type T elevations (Drawing No. 20041 (PL) 122) received 9 August 2021
- (iii) Apartment Type T plans (Drawing No. 20041 (PL) 121) received 9 August 2021
- (iv) House Type A (Drawing No. 20041 (PL) 110 A) received 9 August 2021
- (v) House Type B (Drawing No. 20041 (PL) 111 A) received 9 August 2021
- (vi) House Type C (Drawing No. 20041 (PL) 112 A) received 9 August 2021
- (vii) House Type D (Drawing No. 20041 (PL) 113 A) received 9 August 2021
- (viii) House Type E (Drawing No. 20041 (PL) 114 A) received 9 August 2021
- (ix) House Type F (Drawing No. 20041 (PL) 115 A) received 9 August 2021
- (x) House Type G (Drawing No. 20041 (PL) 116 A) received 9 August 2021
- (xi) House Type L (Drawing No. 20041 (PL) 117 A) received 9 August 2021
- (xii) House Type M (Drawing No. 20041 (PL) 118 A) received 9 August 2021
- (xiii) House Type S (Drawing No. 20041 (PL) 119 A) received 9 August 2021
- (xiv) Apartment Type J (Drawing No. 20041 (PL) 104 C) received 3 August 2022
- (xv) Street Scene (Drawing No. 20041 (PL) 300 B) received 9 August 2021
- (xvi) Topographical Survey (Drawing No. B0496/3816/6) received 9 August 2021
- (xvii) Proposed Site Plan (Drawing No. 20041 (PL) 001 R) received 3 August 2022
- (xviii) Site Location plan (Drawing No. 20041 (SU) 001) received 9 August 2021
- (xix) Hard and soft landscaping schematic (Drawing No. V03) received 9 August 2021

Reports:

- (i) Planning Statement received 9 August 2021
- (ii) Design and Access Statement received 9 August 2021
- (iii) Pre-Application Consultation Report received 9 August 2021
- (iv) Bat Survey Report (We Know Services, dated August 2021, 1st issue) received 9 August 2021
- (v) Preliminary Ecological Appraisal Report ((We Know Services, dated June 2021, 5th issue) received 9 August 2021
- (vi) Flood Consequences Assessment (TIER Consult, dated August 2021 Revision 1.4) received 9 August 2021
- (vii) Arboricultural Impact Assessment (We Know Services, dated February 2022, 4th issue) received 22 February 2022
- (viii) Arboricultural Method Statement (We Know Services, dated August 2021 (3rd issue) received 9 August 2021
- (ix) Tree Survey (We Know Services dated March 2021) received 9 August 2021
- (xi) Transport Assessment (Cameron Rose Associates, Ref 628-01/TA 01 Rev B) received 9 August 2021
- (xii) Drainage Strategy (TIER Consult, ref T_21_2386 Ref B) received 9 August 2021

- (xiii) Framework Travel Plan (Cameron Rose Associates, Ref 628-01/TP 01 Rev B) received 9 August 2021
- (xiv) Archaeological Desk-based Assessment (Archaeology Wales Report ref 2036) received 20 December 2021
- (xv) Archaeological Field Evaluation Report (Archaeology Wales Report ref 2075) received 13 April 2022

Biodiversity, Landscaping & Open Spaces

3. 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.

4. Within three months of the commencement of development, a detailed scheme of hard and soft landscaping for the site, designed to deliver a net benefit for biodiversity shall be 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) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
- (c) proposed materials to be used on the driveway(s), paths 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.
- (f) the timing of the implementation of the planting and landscaping scheme.
- (g) details for re-use of the timber within the site from the felled oak trees (T1 and T5)

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the first unit. 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.

6. All trees and hedges to be retained including those adjacent to the site as part of the development hereby permitted shall be protected during site clearance in accordance with the approved Arboricultural Method Statement (We Know Services, dated August 2021 (3rd issue)) or in accordance with an alternative scheme as 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.

7. No development shall be permitted to commence on any dwellings above slab level until the written approval of the Local Planning Authority has been obtained to details of the provision to be made within the development for features to be included for roosting bats and nesting birds, including the number, location and specification of those features.
The approved details shall be implemented in full.

8. No dwellings shall be permitted to be occupied until the written agreement of the Local Planning Authority has been obtained to detailed proposals showing an external lighting/internal light spillage scheme, designed to avoid negative impacts on bats.
The approved measures shall be implemented in full.

9. Access for hedgehogs (at least one 13cm x 13cm opening per garden) should be made at ground level through the fencing used to separate the gardens of each property, to allow the movement of hedgehogs throughout the site.

10. Prior to the completion of the development, details of an Ecological Compliance Audit (ECA) for the scheme shall be submitted to and approved in writing by the Local Planning Authority. The Audit shall be completed in accordance with the submitted details.

PRE COMMENCEMENT

11. No development shall be permitted to commence until a report or method statement detailing reptile avoidance, mitigation and compensation measures, has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full.

12. None of the dwellings shall be occupied until the written approval of the Local Planning Authority has been obtained to details of the open space areas within the site. The details shall include the following information: -

- a) Details of an equipped play area for children and community recreational open space area
- b) Details of minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, etc.) associated with the public open space.
- c) Details of all surfacing, boundary treatments and schedules of all tree and shrub planting, including species, numbers, types and spacing
- d) The timing of completion of the approved landscaping / planting
- d) Landscaping and Open Space Management/maintenance arrangements including details of how and by whom the planting and open space areas will be maintained for the lifetime of the development;
- e) Arrangements to cover the failure of any Open Space / Landscaping Management Company

The development shall only proceed in accordance with the approved arrangements / plans

Materials

13. No dwelling shall be constructed above finished slab level until the written approval of the Local Planning Authority has been obtained to the details of all the materials and finishes it is proposed to use thereon, including, where relevant, the texture, type and colour of the finish.

The development shall be undertaken strictly in accordance with the details approved under this condition.

Highways

14. The development hereby permitted shall not be allowed to commence until the written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:

- a) the arrangements for the parking of vehicles of site operatives and visitors;
- b) the location of any construction compound and measures to reinstate the land following completion of the works;
- c) the hours of site works and deliveries;
- d) the proposed routing of delivery vehicles, and directional signing along public roads where necessary;
- e) the location of areas designated for the loading, unloading, and storage of plant and materials;
- f) the proposals for security fencing or hoardings around the site;
- g) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses;
- h) measures to minimise noise and disturbance to neighbouring residential properties / properties in the vicinity of the site;
- i) wheel washing facilities;
- j) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- k) any proposed external lighting.
- k) the piling methods, in the event that this form of foundation construction is proposed

The development shall be carried out strictly in accordance with the approved elements of the Construction Method Statement throughout the construction period.

15. Prior to the commencement of any highway works, the detailed layout, design, means of traffic calming, street lighting, signing, drainage and construction of the internal estate road/and access to

the site, footway links and associated highway works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in strict accordance with such approved details.

15. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 0.6 metres above the level of the adjoining carriageway

16. No dwelling approved as part of this permission shall be permitted to be occupied until the main access works to the site has been completed in accordance with the relevant approved plans and the access/estate road serving it has been completed to at least binder course level. The access and estate road shall be completed to surface course prior to the occupation of the 100th dwelling.

17. The facilities for the parking and turning of vehicles for each plot shall be completed in accordance with the approved plans before the dwelling to which they relate is first brought into use, and shall be retained as approved at all times thereafter.

Drainage

18. No development shall commence until details of a scheme to protect the structural condition of the strategic water mains crossing the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the strategic water mains. No other development pursuant to this permission shall be carried out until the approved protection measures have been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.

19. Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at or downstream of manhole reference number SJ00753790 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

20. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

Welsh Language and Social and Cultural Fabric

21. No development shall commence until a strategy setting out mitigation measures to reduce adverse linguistic, social and cultural effects, following the overall principles set out within the Site Development Brief for the Bodelwyddan Key Strategic Site, has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with such approved details.

Reasons

Reason 1: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Reason 2: For the avoidance of doubt and to ensure a satisfactory standard of development

Reason 3: In the interest of the biodiversity of the area.

Reason 4: To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.

Reason 5: In the interest of visual amenity and enhancing the biodiversity of the area.

Reason 6: In the interest of visual amenity and enhancing the biodiversity of the area.

Reason 7: In the interest of visual amenity and enhancing the biodiversity of the area

Reason 8: In the interest of the biodiversity of the area

Reason 9: In the interest of the biodiversity of the area

Reason 10: In the interest of preserving ecological interests.

Reason 11: In the interest of preserving ecological interests.

Reason 12: In the interest of visual and residential amenity of the area

Reason 13: In the interest of visual amenity and character of the area

Reason 14. In the interests of protecting public and residential amenity, pollution prevention and control, and of the safety and the free flow of traffic on the adjoining highway

Reason 15: In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.

Reason 16: In the interest of highway safety and residential amenity

Reason 17: In the interest of highway safety and residential amenity

Reason 18: To protect the integrity of the public watermain(s) and avoid damage thereto.

Reason 19: 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.

Reason 20: 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

Reason 21: To protect the Welsh language and the social and cultural fabric of communities

21. To protect the Welsh language and the social and cultural fabric of communities.