



**CYNGOR**  
**Sir Ddinbych**  
**Denbighshire**  
**COUNTY COUNCIL**

Graham Boase  
 Head of Planning & Public Protection  
 Denbighshire County Council  
 Caledfryn  
 Smithfield Road  
 Denbigh  
 Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

24/2012/1032  
 Land at Rhewl  
 Ruthin

2



Application Site

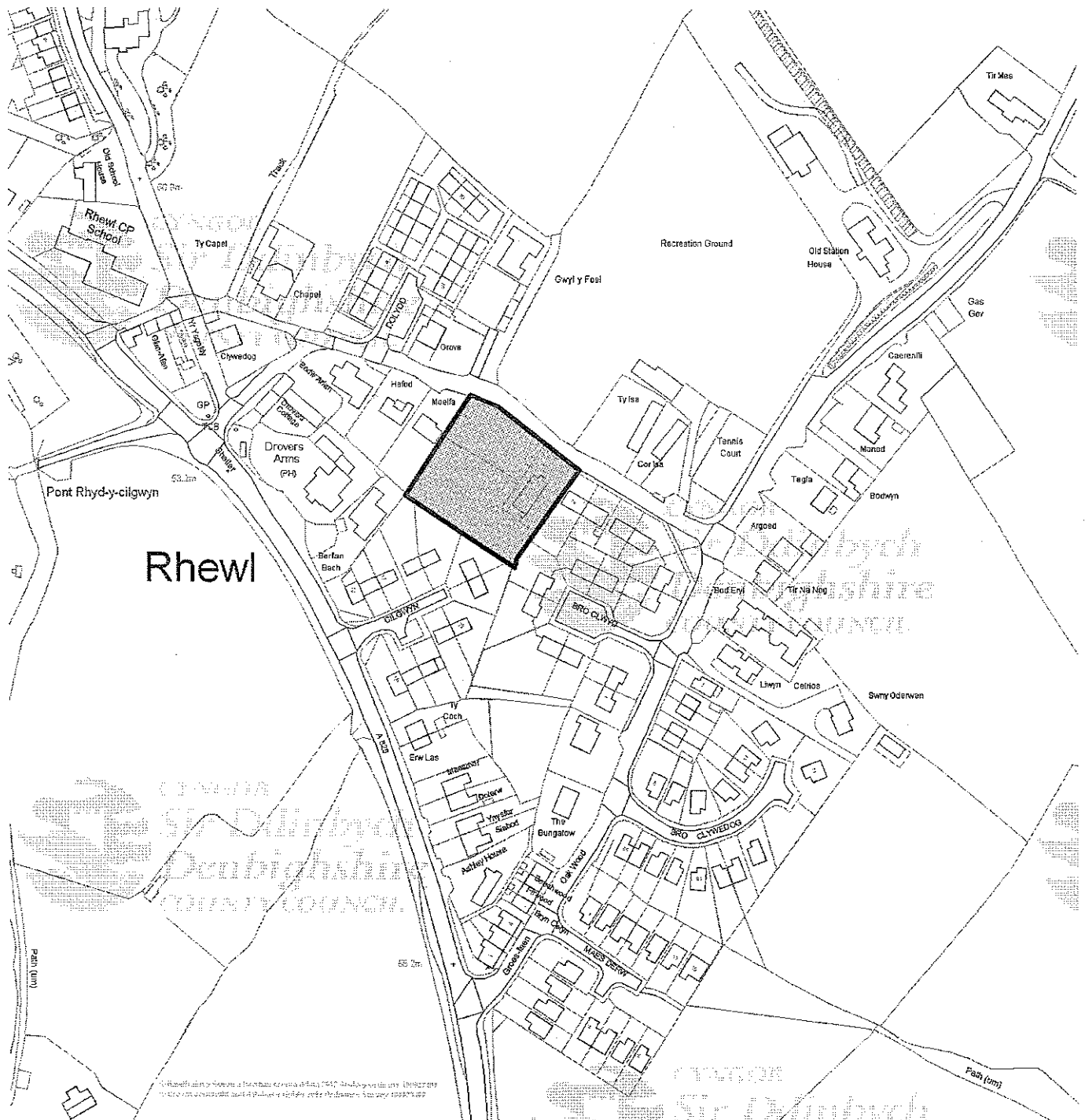


Date 8/11/2012

Scale 1/2500

Centre = 311075 E 360345 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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# ILLUSTRATIVE LAYOUT PLAN

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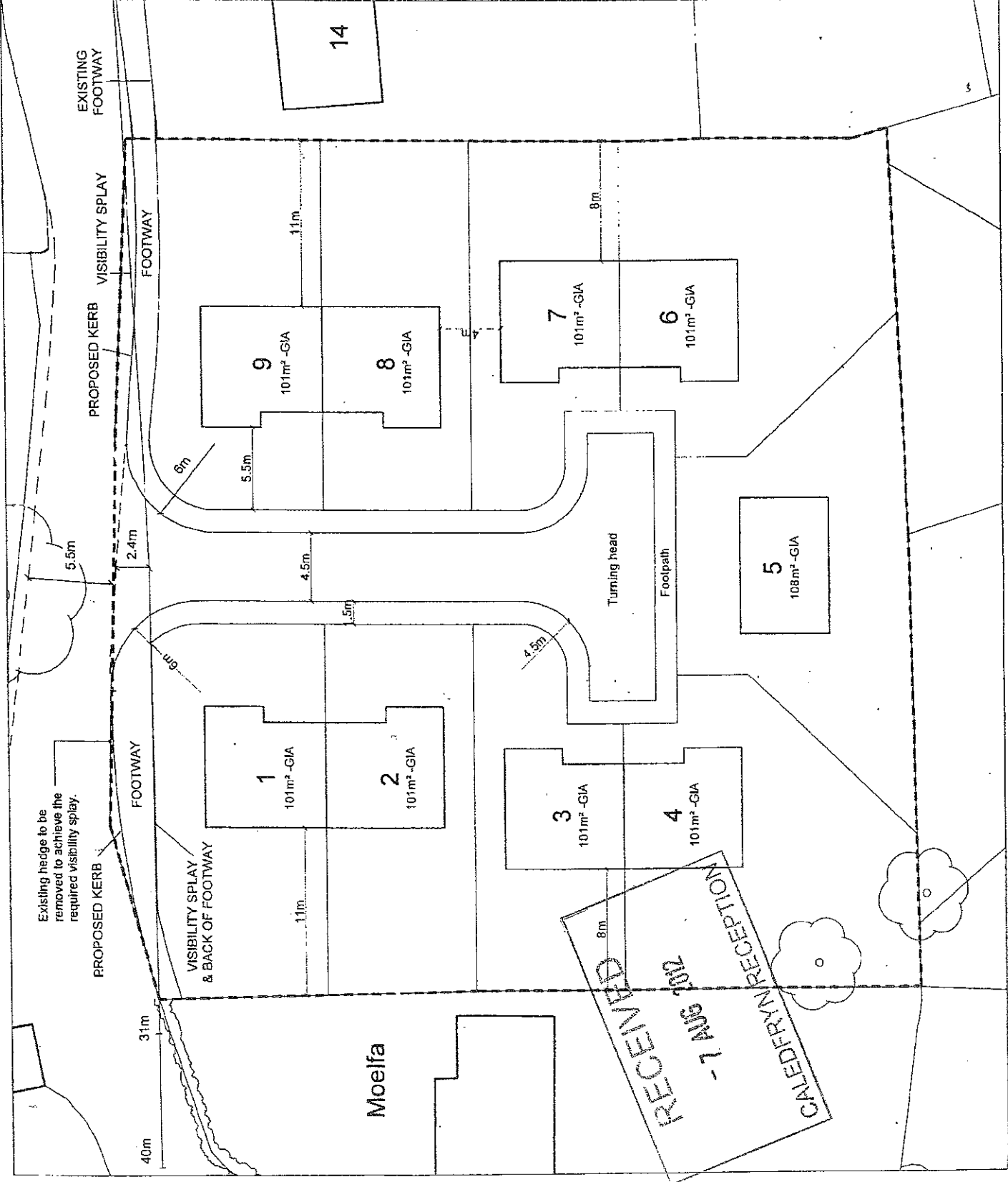
----- Application site boundary.

LANDFORM DWG NO. 905/1  
 JUNCTION AND HIGHWAY LAYOUT  
 MODIFIED 2<sup>ND</sup> JULY 2012

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client	Strutt & Parker
project	Land at Rhowli; Denbig
date	June 2012
dwg. file	Proposed Block Plan
dwg. no.	059 P 03
dwg. scale	1:250@A3
dwg. status	Planning

David McChesney Architect  
 BA (Hons) Dip. Arch. Dip. Arch Practice. ARB.  
 Pengwernant  
 Melvyn Downing Lane  
 Whitford  
 Holywell  
 Flintshire  
 CH8 9EP  
 tel: 01745 569004  
 email: david@dm-architect.co.uk



**ITEM NO:** 2  
**WARD NO:** Llandyrnog  
**APPLICATION NO:** 24/2012/1032/ PO  
**PROPOSAL:** Development of 0.29 hectares of land by demolition of village hall and erection of 9 No. dwellings (Outline application including layout)  
**LOCATION:** Land at Village Hall Rhewl Ruthin  
**APPLICANT:** Mr Philip Chew  
**CONSTRAINTS:** Nitrate Vulnerable Zone  Groundwater Vulnerability 1   
**PUBLICITY UNDERTAKEN:** Site Notice - No  
 Press Notice - No  
 Neighbour letters - Yes

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

- Scheme of Delegation Part 2 – 4 or more objections received

**CONSULTATION RESPONSES:**

**LLANYNYS COMMUNITY COUNCIL**

"The Members of Llanynys Community Council strongly object to the above planning application for the following reasons:

1. To support local opposition to the planning application.
2. There are numerous properties available for sale and rent in the village of Rhewl at the present time.
3. There is no demand for extra 9 dwellings within the Rhewl Village.
4. There is currently a whole field with planning consent opposite the Village School in Rhewl. The development has not taken place due to no local demand for properties in Rhewl.
5. A recent independent Housing Needs Survey conducted by the Denbighshire and Conwy Housing Needs Officer for the Community of Llanynys showed that there is only a need for three houses in Rhewl and there are more than three dwellings available for purchase or rent in Rhewl currently.
6. Members are certain that the deeds of the land would show that the land should be made available for the parishioners use and not for future building development and the proceeds of any sale of the land and property on the land is made available to the parishioners of the Community.
7. Any development of this site should have a Section 106 Clause for Affordable Housing and a provision of a new Play Area Park."

**COUNTRYSIDE COUNCIL FOR WALES**

Does not object. Proposals are unlikely to affect any natural heritage interests.

**WELSH WATER / DWR CYMRU**

No objections subject to imposition of conditions and notes to applicant to cover foul and surface water disposal details.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:**

**BIODIVERSITY OFFICER**

Would prefer retention of hedgerow. No indication of bat presence in protected species survey. Standard precautionary measures should be attached to any permission.

**HEAD OF TRANSPORT AND INFRASTRUCTURE**

Formal response awaited.

**AFFORDABLE HOUSING OFFICER**

Confirms requirement for 30% affordable housing provision, and that there is evidence of need on the Affordable Housing Register. Highest need is for 2 bedroom family homes.

## RESPONSE TO PUBLICITY:

Representations received from:

Dawn Barraclough-Jones, 21 Cilgwyn, Rhewl  
C M Denman, 22 Cilgwyn, Rhewl  
C. Harvey, 18 Cilgwyn, Rhewl  
Mr Stuart Peasley, Hafod, Rhewl  
Mr Ian K Hedley, 14 Bro Clwyd, Rhewl  
A Howatson-Jones, 19 Cilgwyn, Rhewl  
Mr J T Hughes, Moelfa, Rhewl  
Mr E S Ashton, Glanrafon, Rhewl  
Hilda Lewis, Llwyn Ceirios, Rhewl

Summary of planning based representations – in objection

### Principle of Development

Land not earmarked for development in UDP or LDP / designated sites should meet local housing needs / too many dwellings proposed / profit motive for church before best interests of parishioners.

### Need for additional housing

Already land in village with permission / difficulty in selling existing houses / speculative application / adequate land in Ruthin (Glasdir) / no need for more Tai Clwyd properties.

### Residential Amenity

Impact on views from nearby property / overlooking potential / loss of privacy / noise / pollution.

### Visual Amenity

Loss of mature hedges and trees along site frontage / would be contrary to clear building line along the lane / trees should be protected by Tree Preservation Order.

### Ecological Issues

Loss of habitat for wildlife if hedgerow is lost.

### Highway Issues

Narrow, busy access road / close to playing field and used by children / main access to village school / road will serve another housing development / vehicles would park along the road.

### No investigation of re-use of church building or community use of land

Building should be renovated or rebuilt for community use or as church / land could be used as a bowling green.

### Other Matters

Misleading reference in description to previous use of building (as village hall, not church)

**EXPIRY DATE OF APPLICATION: 28/10/2012**

**REASONS FOR DELAY IN DECISION (where applicable):**

- timing of receipt of representations

## PLANNING ASSESSMENT:

### 1. THE PROPOSAL:

#### 1.1 Summary of proposals

- 1.1.1 The application seeks outline planning consent for a residential development on land within the Unitary Plan boundary of Rhewl village. It has been clarified that all detailed matters such as layout, scale, appearance and access are reserved for future approval.

- 1.1.2 The site area is 0.29 hectares and includes a building formerly used for Church services, Sunday School and community use. The submitted forms indicate the applicant is the Rev. Phillip Chew.
- 1.1.3 The application contains an illustrative site plan indicating proposals for a short cul de sac off the highway, and a total of 9 dwellings in the form of 4 semi-detached and one detached unit. (See the plan at the front of the report).
- 1.1.4 The submitted documents include an 11 page Supporting Statement, including a Design and Access Statement, an Ecological Assessment and the relevant plans. The Supporting Statement makes reference to a number of matters:
- The proposal arises from the need to find a new use for the vacant building for which there is no longer a community need.
  - Residential use is the most acceptable new use, given the location adjacent to existing dwellings and in response to the County's housing needs.
  - 9 properties are proposed and would be built to high sustainable standards.
  - The proposal is consistent with the policies of the Planning Policy Wales, Technical Advice Note and the Unitary Plan (Policies HSG 4 and GEN 6) and Supplementary Guidance (SPG 7 – Space Standards)
  - The development would not be viable if affordable housing is demanded so it is requested that the Council do not insist on provision.
  - The building is not capable of conversion given its state of repair.
  - There are no trees which present a constraint to development and those around the perimeter of the site will be kept and maintained.
  - Relevant accessibility arrangements would be assured, the site being relatively flat.
- The Ecological Assessment concludes there are no issues with protected species, the building itself having low potential as a roosting site for bats. Retention of hedgerows would support any habitat present.

## 1.2 Description of site and surroundings

- 1.2.1 The site is located within Rhewl village with its north east boundary formed by a public road referred to locally as Post Office Lane. The Old Post Office is immediately to the north across this lane.
- 1.2.2 There are existing dwellings on 3 sides of the site, which borders onto Cilgwyn and Bro Clwyd, and more recently developed units at Berllan Bach and Moelfa. The main village recreation ground and pavilion are to the north east.
- 1.2.3 There are existing hedgerows along the site boundaries including 4 Yews and a holly tree along the road frontage.
- 1.2.4 The main part of the site is flat grassland which has been grazed by animals over time. The building to be removed measures some 16 metres by 7 metres and is a timber structure with a pitched asbestos tile roof.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the development boundary of Rhewl village in the Unitary Development Plan. It has no specific use designation in the plan.

## 1.4 Relevant planning history

- 1.4.1 None.

## 1.5 Developments/changes since the original submission

1.5.1 Officers have sought additional information in the course of processing the application. The agent has confirmed the following:

- The last use of the building was as a Sunday School and Community Centre. It was used for church services occasionally, but with low attendance running up to 2010, when it was last formally used. It was never consecrated as a church. Closure was for 2 main reasons – lack of demand and use of the nearby Pavilion; and the structural condition with asbestos tiles and evidence of woodworm making it unsuitable for conversion or renovation (its original anticipated life being 50 years, but this has extended to 90).
- It is not intended to contest the Council's Affordable Housing policy.
- It is accepted the frontage hedgerow would need to be removed to secure adequate visibility for the access road. If the trees need to be removed, consideration can be given to relocation or replacement with semi-mature species.

1.6 Other relevant background information

1.6.1 None.

**2. DETAILS OF PLANNING HISTORY:**

2.1 None.

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)

- Policy STRAT 15 - Housing
- Policy HSG 4 – Housing Development in Villages
- Policy GEN 1 – Development within Development Boundaries
- Policy GEN 6 – Development Control Requirements
- Policy HSG 10 – Affordable Housing within Development Boundaries
- Policy TRA 6 – Impact of New Development on Traffic Flows
- Policy TRA 9 – Parking & Servicing Provision
- Policy ENP 4 – Foul and Surface Water Drainage
- Policy ENV 6 – Species Protection
- Policy CF 1 – Community Facilities

3.2 SUPPLEMENTARY PLANNING GUIDANCE

- Supplementary Planning Guidance 21: Parking Requirements in New Developments
- Supplementary Planning Guidance 22: Affordable Housing in New Developments

3.3 GOVERNMENT POLICY GUIDANCE

- Planning Policy Wales (Edition 4 February 2011)
- Technical Advice Note 2 – Planning and Affordable Housing (2006)
- Technical Advice Note 12 – Design (2009)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 22 – Sustainable Buildings (2010)

**4. MAIN PLANNING CONSIDERATIONS:**

4.1 The main land use planning issues are considered to be:

- 4.1.1 Principle / need for housing development
- 4.1.2 Impact on residential amenity
- 4.1.3 Impact on visual amenity
- 4.1.4 Highways, Access and Parking
- 4.1.5 Ecology
- 4.1.6 Drainage
- 4.1.7 Affordable Housing
- 4.1.8 Open Space Provision
- 4.1.9 Design and Access / Sustainability Code / Access for All

4.2 In relation to the main planning considerations:

#### 4.2.1 Principle/need for housing development

The main Unitary Development Plan Policies relevant to the principle of the development are STRAT 15 and GEN 1. These policies seek to make provision for new housing in a range of locations, concentrating development within the boundaries of defined settlements. HSG 4 seeks to direct most housing developments outside main centres, to main villages and villages including Rhewl. The site is within the development boundary of Rhewl where the principle of new housing development would be acceptable in terms of the policies subject to consideration against the detailed policies and assessment of the potential localised impacts.

The submission argues the proposals are consistent with the policies of the Unitary Plan's housing policies and with the requirements of Planning Policy Wales and TAN 6 to provide for additional housing in rural areas. There are concerns from the Llanynys Community Council and objections based on no need / demand for further dwellings in the village, with other sites in the village with permission remaining undeveloped and limited evidence of need in Housing Need Surveys.

In acknowledging the basis of local concerns in respect of need, it is respectfully suggested that there are no planning policy grounds to justify a refusal for an outline application for a small housing development on a site such as this within an identified village boundary. The whole basis of the Unitary Plan system is to provide for an adequate and continuous supply of land available and suitable for development to meet identified housing requirement for the County over a period of time, and part of the Plan's strategy is to allow for a distribution of development – on a suitable scale – to the County's towns, and villages such as Rhewl. So whilst recognising the current problems with the housing market and the general slowing of new development locally and nationally, any perceived lack of demand for houses at a particular point in time can not form a reasonable basis for a refusal of planning consent.

#### 4.2.2 Impact on residential amenity

There is a general requirement in the Unitary Plan's policies to ensure that new development does not detrimentally affect the amenity of neighbouring properties by way of, amongst other things, over dominance and loss of privacy. This requirement is embodied within Policy GEN 6. Additional guidance on how this can be achieved is contained in Supplementary Planning Guidance Notes 24 and 25. Policy GEN 6 also requires new residential development to provide a reasonable amount of amenity space for future occupants.

Concerns are expressed by objectors at the potential impact of dwellings on adjacent properties, in the form of loss of privacy, overlooking, noise/disturbance, obstruction of views and loss of light. The applicant's agent argues that the site is capable of accommodating dwellings without detriment to adjoining occupiers, given the distances between properties.

Given the application is in outline form, and the layout plan is for illustrative purposes only, Officers do not consider it would be reasonable to refuse a development in terms of principle on the potential adverse effect on the residential amenities of neighbours. Clearly, any development on a previously vacant site would have some impact on the amenities of existing occupiers, who have been used to views out across an open field for some years. However, it has to be recognised that this is not in itself a ground for refusal. The site is clearly capable of accommodating a number of dwellings, and there is adequate scope to design a development to take due account of the relationship with nearby houses to ensure acceptable distances, etc. are achieved. Inevitably, residential amenity impacts can only be assessed in detail at reserved matters stage, when full consideration can be given to the acceptability or otherwise of the proposals. Members will be aware that loss of view is not a consideration which can be given weight in the determination of applications.

#### 4.2.3 Impact on visual amenity

The general requirement to give due consideration to the visual impact of development is set out in Policy GEN 6 of the Unitary Plan. This outlines a number of factors relevant to assessment of proposals, including impact on a locality, landscape / townscape, landscaping etc.

The agents suggest that matters of detailed design and landscaping / planting can be addressed at detailed plan stage. Local concerns are expressed over the potential loss of trees and hedgerows, which seems to be underplayed in the application documents.

Officers have sought clarification of details in respect of tree and hedgerow removal and it has been confirmed that in order to create the new access and associated visibility splays, that it would

be necessary to remove the frontage hedgerow, the yews and holly trees. The agent has advised that the trees may be capable of relocation behind the visibility splays and that replacement hedgerow would be planted. With regard to the suggestion for a Tree Preservation Order, this has been referred to the Council's Tree Consultant and his response will be reported in the late representation sheets. Officers would note, however, that the Yews are shaped specimens some 3 – 4 metres (10 – 13 feet) high and it is unlikely that these are of such high visual amenity value to merit formal protection. Nonetheless the option of excavating and relocating them nearby is worth consideration if a permission is granted. Overall, Officers do not believe there are justifiable visual amenity grounds to refuse an outline consent here.

#### 4.2.4 Highways, Access and Parking

Policies TRA 6, TRA 9 and GEN 6 of the Unitary Plan oblige due consideration of the adequacy of access and parking arrangements, and the impact of development on the highway network and the free flow of traffic.

The proposals involve the creation of a single new access onto the adjacent lane. The illustrative plans show ideas for extending an existing footway across the site frontage. Objectors express concerns over the potential impacts of additional traffic along the lane, which leads from the playing fields towards the village school to the north west.

The Highways Officer has advised there are no objections to the proposals subject to suitable conditions requiring approval of details of the access and footways. In respecting local concerns over the development, it is to be noted that there is presently no footpath on either side of the road along or opposite the site frontage, so the provision of a path on the application site as a continuation of the one which stops outside No. 14 Bro Clwyd would constitute an improvement on the existing situation. The detailed plans would need to demonstrate adequate parking facilities for the dwellings to reduce the potential for residents vehicles parking along the existing highway.

#### 4.2.5 Ecology

Policy ENV 6 of the Unitary Plan and related wildlife legislation aims to ensure that proposals for new development do not detrimentally harm any protected species, or their habitat.

The submitted Ecological report indicates there are no clear implications for protected species from the development here. The CCW have no objections to the application. The Council's Biodiversity Officer would wish the hedgerow to be retained, but requests standard precautionary measures are taken to safeguard wildlife if development proceeds. There are local concerns over potential loss of wildlife habitat.

Having regard to the basis of responses to the application, it is not considered there are any significant ecological issues to address. The loss of the frontage hedgerow would be regrettable, but replacement planting of suitable mixed hedgerow species (and the possible relocation of the trees) would in time offer a potentially more diverse habitat for wildlife.

#### 4.2.6 Drainage

Policy ENP 4 of the Unitary Plan requires satisfactory arrangements for the disposal of foul and surface water for new developments.

Welsh Water / Dwr Cymru have no objections to the proposals subject to inclusion of conditions relating to the detailing of drainage arrangements. They encourage investigation of sustainable (SUDS) forms of drainage for surface water in preference to direct connection to a public sewer, and recommend dialogue at detailed plan preparation stage on this option.

Officers suggest the drainage issues can be adequately covered by conditions in the event of permission being granted. There are no known flooding implications for the development.

#### 4.2.7 Affordable Housing

The requirement for provision of affordable housing in connection with housing developments within development boundaries is set out in Policy HSG 10 of the Unitary Plan, supplemented by guidance in SPG 22 – Affordable Housing in New Development. The thresholds for provision are sites of 0.1 hectare or more and/or where more than 3 units are proposed.

The agent's original submission indicated that for viability reasons, there should be no insistence on affordable housing provision, but this stance has been revised to acknowledge the Council's



policies and requirement for provision in new developments. The Llanynys Community Council has indicated any development should have a Section 106 agreement for affordable housing. The Affordable Housing Officer has confirmed the need for affordable housing in the village.

In accordance with current planning policy and guidance, and practice adopted in recent times by the Planning Inspectorate on appeals, affordable housing provision can be conditioned as part of any outline consent. A standard condition can be imposed requiring approval of details of the level of provision, and agreement to the mechanism to secure delivery and future controls over use of affordable units. A Section 106 agreement may be one such mechanism to comply with the terms of the condition. An applicant would need to present a suitable level of detail including financial viability information to justify a level of affordable provision below that set out in guidance applicable at the time of submission of such details, or any proposal for other options like commuted sum payments or no provision.

#### 4.2.8 Open space provision

There is a planning policy requirement for provision of on site amenity and recreational open space in Policy REC 2 of the Unitary Plan. This policy applies to new developments of 10 or more dwellings.

The Llanynys Community Council suggest any development of this site should include provision of a new play area park. There are no proposals to provide open space within the site, as the illustrative plans indicate a total of 9 dwellings are to be developed.

Whilst respecting the comments of the Community Council, there would be no planning policy basis for obliging amenity and recreational open space if any reserved matters application involved a total of less than 10 dwellings. Nonetheless it would be appropriate, in Officers' opinion, for a condition to be imposed to cover the potential for a development involving 10 or more dwellings are in that case, obliging suitable open space to be provided.

#### 4.2.9 Design and Access/Sustainability Code/Access for All

Guidance in TAN 12 Design and TAN 22 Sustainable Buildings has introduced an obligation on applicants to demonstrate the approach to a range of design considerations, including how inclusive design and standards of environmental sustainability are to be achieved. These reflect general requirements in the strategic policies of the Unitary plan STRAT 1 and 13 to ensure sustainable development principles are embodied in schemes.

The submission makes some play on the intention to embrace sustainable development principles and to incorporate extensive provision for ease of access for persons with disability. Given this is only an outline application, Officers consider an acceptable basic approach towards these matters has been demonstrated. Again, conditions can be imposed to ensure detailed plans contain adequate detail to secure development in accordance with relevant sustainable development and accessibility standards.

### 4.3 Other matters

#### Alternative uses for the building

4.3.1 A number of objectors voice concerns over the loss of a building used over time as a Church, Sunday School and various community purposes. Some suggest it should be renovated, that a church be rebuilt, and that community uses such as a bowling green would be preferable alternatives to housing development. Whilst understanding the sentiment of these comments, Officers would not suggest there are valid planning arguments here to 'oblige' a private landowner to invest in a 90 year old building or to consider providing community facilities such as a bowling green. There may be a range of potentially suitable alternative uses of such land within a village development boundary, but the duty of the Council is to deal with what is before it on its own merits, and hence the key issues to address have to be whether housing development is acceptable in relation to current planning policy.

#### Covenants on the use of the site

4.3.2 Whilst noting the Community Council's comment that the property deeds may restrict future uses of the site, this is a private legal matter which can have no bearing on the County Council's consideration of the application, which has to be restricted to relevant land use planning matters.

## 5. SUMMARY AND CONCLUSIONS:

5.1 The application relates to a site within the development boundary of Rhewl village and seeks outline permission for residential use. The principle of such development is acceptable in relation to the housing policies of the Unitary Plan.

5.2 There are a range of local objections to the application. With due respect to the concerns expressed, Officers do not consider there are any strong land use planning grounds for resisting the grant of an outline permission. Many of the issues relate to potential impacts which can only be assessed at detailed plan stage, when specific consideration can be given to matters such as the acceptability of design and relationship with nearby development.

### RECOMMENDATION: - GRANT subject to the following conditions:-

1. Approval of the details of the access, landscaping, scale, layout and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the approved plan and shall be completed prior to the development being brought into use.
5. **PRE-COMMENCEMENT CONDITION**  
Full details of the internal estate road, the new footways and associated highway works shall be submitted to and approved in writing by the Local Planning Authority before any works start on site. The details to be approved shall include the detailed design, construction, street lighting, and drainage. The approved highway improvement works shall be fully constructed in accordance with the approved details before any dwelling is occupied.
6. **PRE-COMMENCEMENT CONDITION**  
No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such 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) proposals for the translocation of the yew trees and holly tree within the site, as part of the development.
  - (c) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
  - (d) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
  - (e) 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;
  - (f) Proposed positions, design, materials and type of boundary treatment.
7. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years 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.
8. No trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing by the Local Planning Authority.
9. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
10. **PRE-COMMENCEMENT CONDITION**  
Prior to the commencement of the development, full details of the method of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage works shall be fully constructed in accordance with the approved details before any dwelling is occupied.

11. Foul water and surface water discharge shall be drained separately from the site.
12. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
13. Land drainage run-off shall not be permitted to discharge, either directly or indirectly into the public sewerage system.
14. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes (Level 3) and achieve a minimum of (6 credits) under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (May 2009). The development shall be carried out entirely in accordance with the approved assessment and certification.
15. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes [Level 3] and a minimum of [6 credits] under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide [May 2009].
16. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes [Level 3] and a minimum of [6 credits] under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide [May 2009].
17. None of the dwellings shall be occupied until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 Planning & Affordable Housing (2006) or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall be in accordance with Denbighshire County Council's Supplementary Planning Guidance Note 22 : Affordable Housing in New Developments;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing);
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced;

18. No development shall commence until a scheme is submitted to and approved in writing by the Local Planning Authority indicating provision to be made within the development for area(s) of open space in accordance with the Council's Planning policy and guidance.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. To ensure adequate provision for the parking and turning of vehicles clear of the highway and to ensure that reversing of vehicles into the highway is rendered unnecessary in the interests of traffic safety.
5. In the interests of the free and safe movement of traffic and pedestrians and to ensure the formation of a safe and satisfactory access.
6. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
7. To ensure a satisfactory standard of development, in the interests of visual amenity.
8. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
9. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
10. To ensure the proper drainage of the site and to minimise the risk of pollution.
11. To protect the integrity of the public sewerage system.
12. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
13. To prevent hydraulic overloading of the public sewerage system and pollution of the environment.

14. To comply with the provisions of TAN 22: Planning for Sustainable Buildings
15. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
16. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
17. To ensure adequate provision of Affordable Housing in accordance with the Council's policies and guidance.
18. To ensure adequate provision of open space in connection with the development.

**NOTES TO APPLICANT:**

Your attention is drawn to the attached Highway Documents:-

- i) Highways notes 1, 2, 3, 4, 5 and 10
- ii) New roads and street works act 1991 Part N form
- iii) DCC Specification for road construction
- iv) DCC general notes for highway lighting installations
- v) DCC General requirements for Traffic signs and road markings.

You are advised that where there is the potential for a protected species to become present on the site during the course of clearance and construction, you should follow best practice guidance in respect of this. In the event of any protected species are discovered during work, then all work must cease and the Countryside Council for Wales be contacted immediately.

Your attention is drawn to the attached advisory notes from the Council's Biodiversity Officer relating to demolition and site clearance work.

Your attention is drawn to the attached advisory notes from Welsh Water / Dwr Cymru in respect of preparation of drainage details and the development of SUDS drainage proposals.