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Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

47/2012/1120
Former Abattoir
Holywell Rd Rhuallt

4



Application Site



Date 9/11/2012

Scale 1/2500

Centre = 305575 E 375067 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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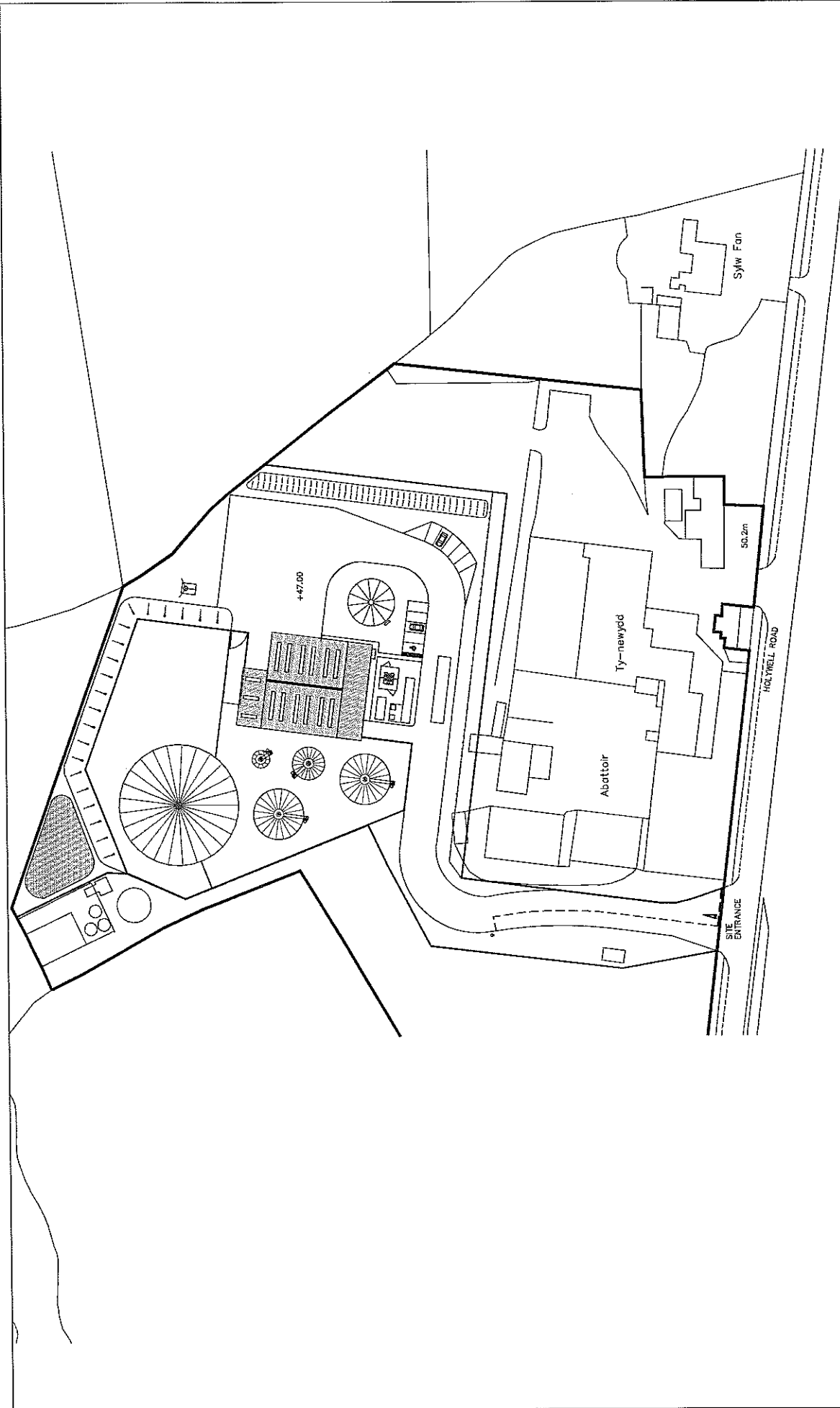


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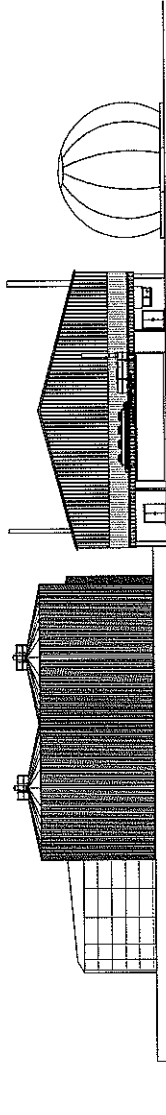
 Fitzalan House Fitzalan Road Cardiff, CF24 0EL United Kingdom T +44 (0)29 2046 7800 F +44 (0)29 2046 7801 W www.motmac.com		Client Biogen (UK) Limited Land at Holywell Road Rhwailt Denbighshire		Title Construction of an anaerobic digestion facility, landscaping and associated infrastructure Site Location Plan Drawing Number MMD-309371-L-DR-00-XX-0001		Drawn DL	Checked JB	Approved GPH	Scale at A3 1:2500	Status P1	Rev PRE	
Rev	Date	Drawn	Description	Chk'd	App'd	Title	DL	JB	GPH	Scale at A3	Status	Rev
P1	10/08/2012	DL	Final Issue	JB	GPH	Construction of an anaerobic digestion facility, landscaping and associated infrastructure	DL	JB	GPH	1:2500	P1	PRE

SITE PLAN

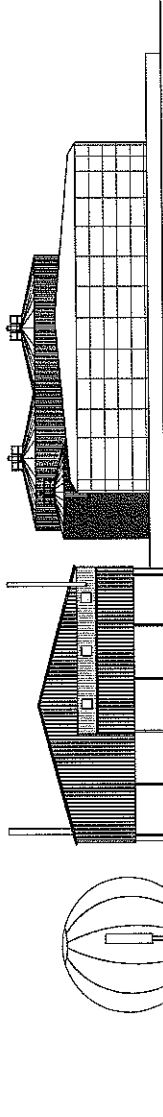


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Rev.	Issue Details	Date	Scale @ A3	CLIENT:	BIOGEN
-	PRELIMINARY	13.07.12	1:1000	PROJECT:	NORTH EAST HUB
A	CHANGES AFTER DESIGN REVIEW MEETING	28.07.12	Drawn SB	TITLE	SITE PLAN
B	WEIGHBRIDGE MOVED	14.08.12	Checked DW	DRAWING NUMBER	WAEN-D-001
			Approved JG	REVISION	B

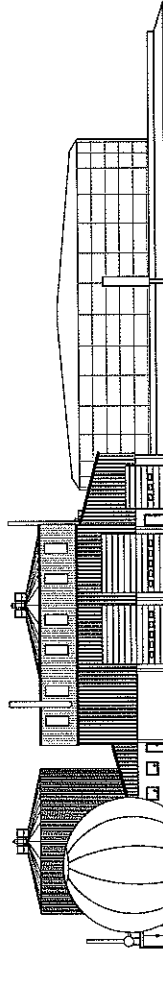
SITE ELEVATION PLANS



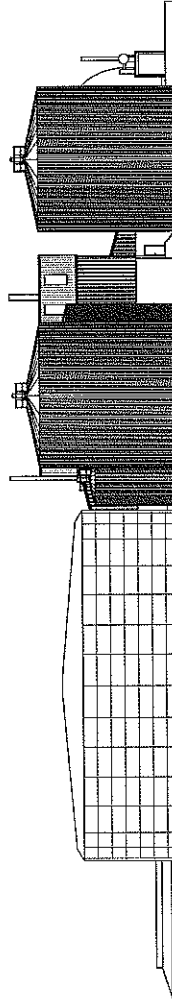
SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

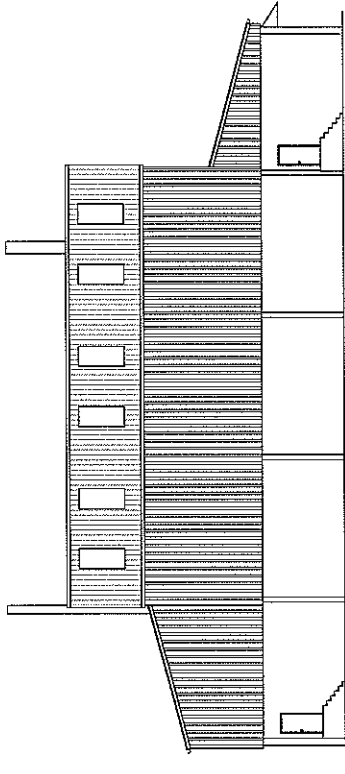
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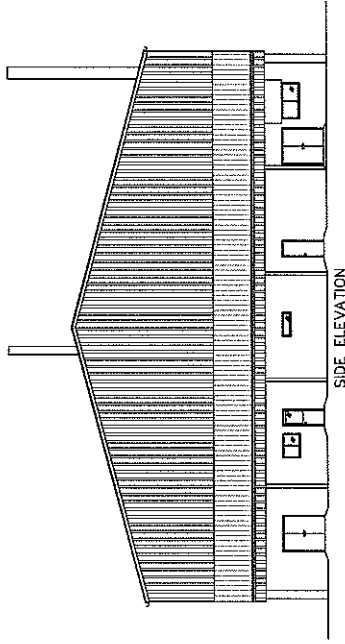
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Rev.	Issue Details	Date	Scale @ A3	Client:
-	PRELIMINARY	13.07.12	1:500	BIOGEN
A	FLARE INCLUDED	24.07.12	Drawn	PROJECT: NORTH EAST HUB
B	TRANSFORMER MOVED	14.08.12	SB	
			Checked	TITLE
			DW	SITE ELEVATIONS
			Approved	DRAWING NUMBER
			JG	WAEN-D-002
				REVISION
				B

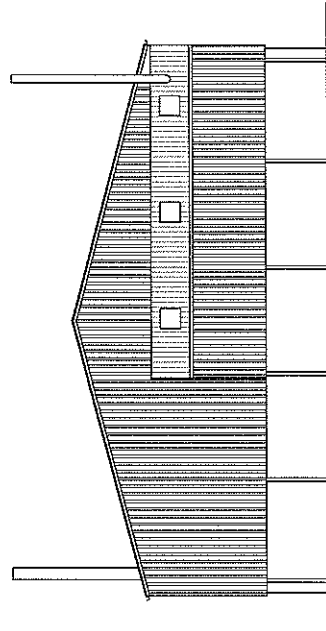
MAIN HUB BUILDING



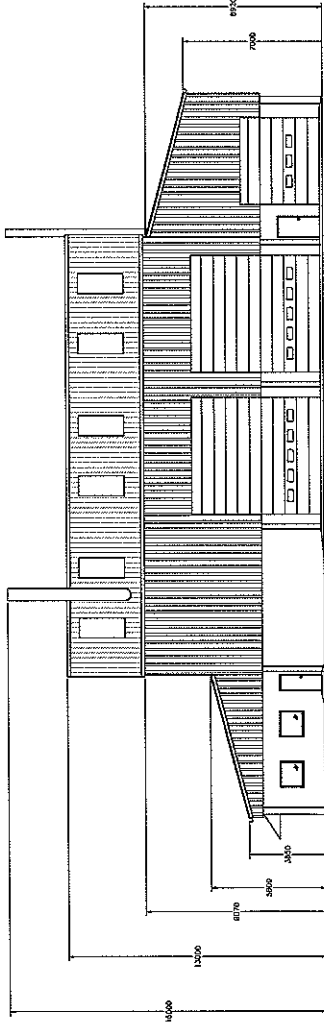
REAR ELEVATION



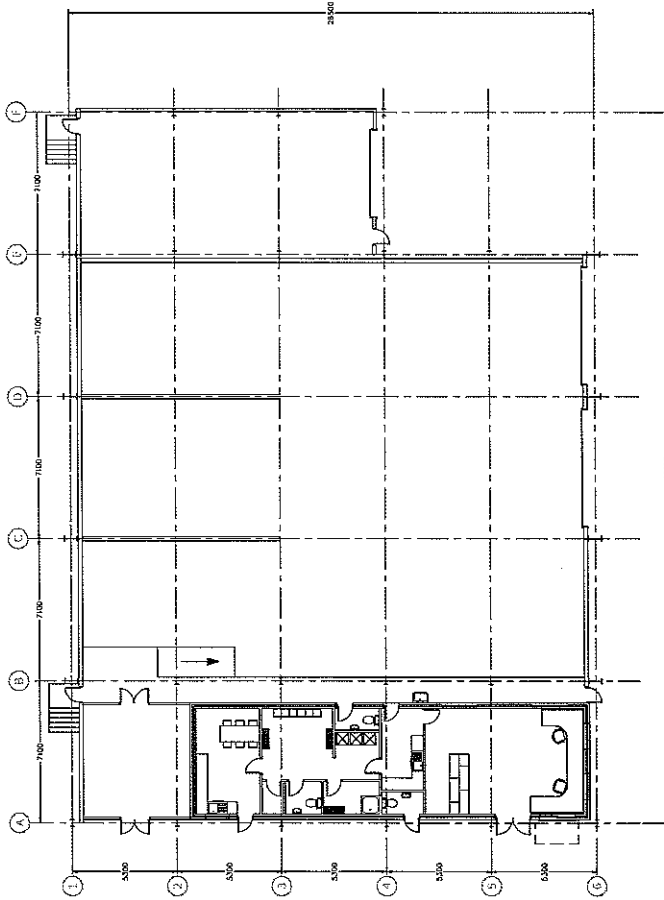
SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



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Scale @ A3	1:250	Client:	BIOGEN
Date	13.07.12	Project:	NORTH EAST HUB
Issue Details	PRELIMINARY	Title	BUILDING FLOOR PLAN AND ELEVATIONS
Rev.	A	Checked	JG
		DW	DW
		Approved	JG
		Revision	A
		Drawing Number	WAEN-D-003

ITEM NO: 4
WARD NO: Tremeirchion
APPLICATION NO: 47/2012/1120/ PF
PROPOSAL: Construction of an anaerobic digestion facility, landscaping and associated infrastructure
LOCATION: Former Abattoir Holywell Road Rhualt St Asaph
APPLICANT: Mr Nick Chapman Biogen (UK) Ltd
CONSTRAINTS: Within 67m Of Trunk Road
PUBLICITY UNDERTAKEN: Site Notice - Yes
 Press Notice - Yes
 Neighbour letters - Yes

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

- Referral by Development Control Manager

CONSULTATION RESPONSES:

TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL

Do not object to the proposal but note that this application is not on the old Abattoir site. Community Councillors have concerns now over what the future plans for the site are and would appreciate some clarification over this.

ENVIRONMENT AGENCY

Note that the anaerobic digestion facility will require an Environmental Permit under the Environmental Permitting Regulations 2010 from the Environment Agency before the commencement of operations. Recommend a number of conditions to address flooding on the site. Comment that the recommendations made in the Extended Phase 1 Survey Report, of August 2012, should be adopted and that the impact of emissions to air from the development should be taken into account and discussed with CCW. Request a number of conditions to address contamination on the site.

COUNTRYSIDE COUNCIL FOR WALES (CCW)

No objection in principle. Conclude that the landscape impacts will not be significant in terms of the AONB and Offa's Dyke National Trail and that the planting scheme to mitigate landscape impacts is satisfactory. Note the use of a green field site for the proposed scheme and suggest the re-use of the Brownfield former abattoir site to be an alternative location for the proposal. Advise that a number of pre-commencement conditions are included to ensure that the proposal is not detrimental to the maintenance of the population of the Great Crested Newt.

AONB JOINT ADVISORY COMMITTEE

Do not object in principle to the proposed development. Raise concern about extending the development into open land and would prefer redevelopment of the existing prominent and visually discordant complex of abattoir buildings rather than new build on open land unless there are sound reasons to justify this. Query the colour of various elements of the proposal, and suggest that they should be finished olive green to help assimilate the development into its rural surroundings. Support the proposed landscaping but recommend additional planting of native species. Query the visual impact of any plume and request clarification regarding connection to the electricity grid. Emphasise the importance of minimising light pollution.

WELSH WATER / DWR CYMRU

There are no public sewers in this area. Advise that a water supply can be made available to serve the development

CHIEF FIRE OFFICER

No comments received

WELSH ASSEMBLY GOVERNMENT

As highway authority for the A55 trunk road do not issue a direction in respect of the application

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
PUBLIC PROTECTION POLLUTION CONTROL OFFICER

Advise that should the abattoir buildings be removed further noise attenuation measures may be required. Recommend a number of conditions regarding noise and hours of working.

PUBLIC RIGHTS OF WAY OFFICER

No comments

COUNTY ECOLOGIST

It is likely that the terrestrial habitat within the application site is being used by Great Crested Newts. Request the inclusion of conditions to ensure the provision of a Reasonable Avoidance Measures Scheme, as well as details of habitat creation and enhancement to mitigate for habitat loss. Request that the recommendations included within the submitted ecology report are implemented.

LAND DRAINAGE OFFICER

No comments received

HEAD OF TRANSPORT AND INFRASTRUCTURE

No objection subject to the inclusion of a condition to ensure the safe movement of vehicles within the site.

COUNTY ARCHAEOLOGIST

No known archaeological sites in the area, therefore no objection to the proposed development.

CONTAMINATED LAND OFFICER

Recommend that a condition is included to secure the investigation and remediation of the site.

RESPONSE TO PUBLICITY:

Michael Skuse for Campaign for the Protection of Rural Wales Clwyd branch:

Summary of representation:

Support the concept of the facility but suggest that a more suitable site could be found, on existing industrial estates, or through the reuse of the disused abattoir. If this is not possible, recommend the landscaping scheme is enhanced.

EXPIRY DATE OF APPLICATION: 22/10/2012

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- delay in receipt of key consultation response(s)

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1. Summary of proposals

1.1.1. The proposal is for the construction of an anaerobic digestion (AD) facility, landscaping and associated infrastructure at the former abattoir, Holywell Road, Rhualt.

1.1.2. The proposed AD facility is to be located on open land to the rear of the former abattoir buildings, which will remain unaffected by this proposal.

1.1.3. Anaerobic digestion is a method increasingly being used to treat food waste, thereby assisting in diverting biodegradable waste from landfill. The plant is intended to treat up to 22,500 tonnes of source segregated food waste and will produce approximately 1MW of renewable energy and approximately 18,000 cubic metres of nitrate and potash rich bio-fertiliser which can be utilised on farms in the local area, displacing the need for fossil fuel derived fertilisers.

- 1.1.4. The proposed plant will treat food waste from local households and businesses located across Denbighshire, Flintshire and Conwy.
 - 1.1.5. It is proposed to use an existing access from Holywell Road, which is part of the former A55 and runs parallel with the current A55.
 - 1.1.6. The proposed development includes a weighbridge and reception building, a digestate storage tank approximately 10.5m high and 33.5m in diameter, two primary digester tanks approximately 16m in height and 14m in diameter, a raw waste buffer tank 11m in height and 9m in diameter, a biofilter and stack, a gas holder approximately 10.5m in height, a CHP boiler, concrete bund wall and earth bank and associated parking area containing 9 parking spaces and 1 disabled parking space.
 - 1.1.7. Waste material will be delivered directly to the reception building by refuse collection vehicles or vehicles with the loads covered and sealed or by tankers. There will be no direct public access or delivery of food waste to the facility. Waste material will be stored, shredded and then fed directly into the anaerobic digesters using sealed pipe work.
 - 1.1.8. Odour control measures include a combination of bio-filters and carbon filters. Waste material will be delivered directly to the reception building and carried out in a sealed system to reduce the potential for odour to become problematic.
 - 1.1.9. Hours of operation are proposed as:
 - Construction phase: 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 Saturday.
 - Operational phase: Renewable energy generation 24 hours
 - Delivery of waste: 08:00 to 18:00 Monday to Friday and 08:00 to 16:00 Saturdays, Sundays and Bank/Public holidays except Christmas day and boxing day.
 - 1.1.10. The site will employ approximately 3 full time staff, with a number of additional jobs indirectly supported through the supply chain for the operation of the AD plant.
 - 1.1.11. The facility is designed to enable the bio-fertiliser produced to meet the Quality Protocol, or Publicly Available Specification (PAS) 110 for anaerobic digestion. This enables the applicant to demonstrate that the bio-fertiliser produced is fully recovered and is no longer a waste. This means that the bio-fertiliser can be used on farms without the need for an exemption from the Environment Agency and can be transported without the need for a waste carrier license, which opens up the potential market for the bio-fertiliser.
 - 1.1.12. The proposed facility will require an Environmental Permit and will be regulated by the Environment Agency. The Environmental Permit will address a number of issues which have been considered as part of this application, although a permit cannot be issued until planning permission has been secured and as such no permit has been issued to date.
- 1.2. Description of site and surroundings
 - 1.2.1. It is proposed to use an existing access from Holywell Road, which is part of the former A55 and runs parallel with the current A55.
 - 1.2.2. The site is approximately 400m from the roundabout with the A55 and the B5429.
 - 1.2.3. There are a small number of residential properties within close proximity of the site, the nearest residential property, Ty-newydd, is approximately 60m from the edge of the proposal site, fronting onto the overall abattoir complex. The next closest residential property is Sylfan, which lies to the south east of the proposal site fronting onto Holywell Road and is approximately 70m from the edge of the proposal site. Along Holywell Road there are a number of other residential properties, a garage and an inert waste recycling facility.
 - 1.2.4. It is proposed to use an existing access from Holywell Road, which is part of the former A55 and runs parallel with the current A55.
 - 1.3. Relevant planning history
 - 1.3.1. There are numerous planning permissions relating to the site, the majority of which relate to the operation of the former abattoir use. In addition to the planning permissions relating to the abattoir use, planning permission was also granted for the change of use from an abattoir to a mixed use

comprising B1, B2 and B8 with ancillary offices and trade counters on part of the site.

2. DETAILS OF PLANNING HISTORY:

- 2.1 47/2008/0222 Change of use from abattoir to a mixed use comprising B1, B2, B8 with ancillary offices and trade counters: Granted 17/06/2008

3. RELEVANT POLICIES AND GUIDANCE:

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

DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

STRAT1: General

STRAT2: Energy

STRAT3: Waste disposal/reuse

STRAT5: Design

STRAT6: Location

STRAT7: Environment

STRAT8: Employment

STRAT11: Regeneration

STRAT 14: Highways

GEN1: Development within development boundaries

GEN 3: Development outside development boundaries

GEN 6: General development considerations

ENV1: Protection of the Natural Environment

ENV2: Development affecting the AONB/AOB

ENV6: Species Protection

ENV7: Landscape/Townscape features

ENP1: Pollution

ENP4: Foul and Surface Water Drainage

ENP6: Flooding

ENP8: Contaminated land

EMP7: Potentially polluting employment development

EMP8: Bad neighbour employment / uses

TRA6: Impact of new development on traffic flows

TRA9: Parking and servicing provision

MEW8: Renewable Energy

MEW11: Waste management facilities

NATIONAL POLICY AND GUIDANCE

National Waste Strategy: Towards Zero Waste (2010)

Collections, infrastructure and Markets Sector Plan (2012)

Planning Policy Wales (2011) Edition 4

Technical Advice Note 21: Waste (2001)

3.1. GOVERNMENT POLICY GUIDANCE

Planning Policy Wales 2011

4. MAIN PLANNING CONSIDERATIONS:

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

4.1.1. Principle

4.1.2. Best Practical Environmental Option issues

4.1.3. Visual and Landscape Impact

4.1.4. Residential Amenity

4.1.5. Biodiversity Considerations

4.1.6. Nuisance issues

4.1.7. Highways

4.1.8. Flooding and surface water drainage

4.1.9. Contaminated land

4.1.10. Sustainability code issues

4.1.11. Environmental Impact Assessment

4.2. In relation to the main planning considerations:

4.2.1. Principle

The site is located on land used formerly in connection with an abattoir, part of which has planning

consent for mixed use B1, B2 and B8. The proposed AD facility will be located on open land to the rear of the former abattoir buildings, which are unaffected by this proposal, and only includes a small part of the land with planning consent for B1/B2/B8 uses.

The site lies outside of the Rhualt village development boundary. The site is allocated for a waste use within the Local Development Plan (LDP), however, the LDP has not yet been adopted, and carries no weight in the determination process. The proposal has therefore been considered against the adopted UDP and national and regional policy.

The UDP generally directs new development to within development boundaries. However, policy STRAT 8 states that "To ensure a healthy and diverse economy... part (v): the establishment, development and expansion of small firms and businesses, agricultural development and diversification of the rural economy will be permitted subject to highway, amenity and environmental safeguards. Policy GEN 3 allows some development to occur outside development boundaries, including, but not limited to, development in connection agriculture and with diversification of the rural economy, provided there is no unacceptable impact on the social, natural and built environment. There is no specific mention of waste management uses, however, since the UDP was adopted, the management of waste has changed significantly, with the introduction of new technologies to deal with waste, including the use of anaerobic digestion. As such, the spatial requirements of waste management facilities have also changed since the UDP was adopted. Although there are a number of industrial sites within the local authority, the land use requirements of anaerobic digestion and the need to ensure sub-regional accessibility limits the suitability of many industrial sites. The LDP reflects this change, however, due to delays relating to housing supply, it is yet to be adopted.

Policy MEW 8 –Renewable Energy supports proposals which generate or capture energy from naturally sustainable sources, including anaerobic digestion. Due to the spatial requirements of many types of renewable energy this may require the development of schemes outside existing development boundaries.

The previous use on the site was as an abattoir, which is a sui generis land use. As such, any alternative use will require planning permission. However, the principle of an employment use has already been established on this site. In 2008, planning permission was granted for the change of use from an abattoir to a mixed use B1, B2 & B8. The planning consent relates to the existing built structures on the site and does not cover the entire application area. Nevertheless, the principle of industrial uses, which are considered akin to the proposed use, on this site has been established through the grant of planning permission. Policy EMP 11 allows the expansion / intensification/ subdivision and intensification of existing employment sites/ premises subject to a number of detailed tests, including the provision of suitable materials and landscaping. The purpose of this policy is to support the Council's Economic Development Strategy, which recognises the rural nature of the County. Since the UDP was adopted, the Council have further confirmed their support for the development of the rural economy through the publication of the Rural Denbighshire Local Development Strategy (2009). This proposal will help diversification of the rural economy, providing new jobs and supporting agriculture in the local area through the provision of sustainably sourced fertiliser.

The site currently comprises a number of former abattoir buildings and a former abattoir waste treatment facility to the north of the site. The proposal is intended to occupy the land between the abattoir buildings and the existing abattoir waste treatment facility. The land is lower than the land occupied by the abattoir buildings, which helps reduce the visual impact of the development in the wider landscape and has operational benefits as gravity can be used to move the waste between different elements of the plant, reducing the need for pumping. This reduces the maintenance requirements of the plant and the risk of failure. Although the site is allocated for a waste site in the LDP, and is therefore considered by Officers to be an appropriate location for a waste facility in principle, the proximity of residential properties to the site means that the precise location of the facility had to be carefully chosen. The location of the plant away from the residential properties helps ensure that noise does not become problematic and ensures that the proposal does not have an overbearing impact on the residential properties by virtue of their scale. It also enables suitable landscaping to be implemented. The site is not considered agricultural land, but is land associated with the former abattoir use and which is contaminated. The proposal therefore offers the opportunity for the regeneration of Brownfield land, which is supported by policy STRAT 11 if the UDP.

It is understood that the rest of the site will be put to beneficial use, ideally involving the take up of any spare heat from the AD plant, although plans for the remainder of the site are at an early stage and would be the subject of a subsequent planning application.

In Officers' view, the proposal is acceptable in principle and is broadly in line with the requirements of policies STRAT 8, STRAT 11, GEN 3 part vi), policy EMP 11, policy MEW 8 – Renewable Energy and policy MEW 11 of the adopted UDP and forms a logical extension to the site, filling the gap between the existing buildings and enhancing landscaping on the site. The proposal is also in line with policy STRAT 1 – General, which requires development to be sustainable and maximise the use or re-use of derelict, vacant and underused land and buildings for development, policy STRAT 2, which supports the provision of clean and renewable energy sources, policy STRAT 3 which supports development which reduces the reliance on landfill, and policy STRAT 8 which supports the diversification of the rural economy subject to highway, amenity and environmental safeguards.

4.2.2. Best Practical Environmental Option issues (BPEO)

TAN 21 introduces the requirement for local planning authorities to take into account BPEO. It states that the detail of the assessment is a matter for the determining authority and it is a matter for the local authority to determine the weight to be given to BPEO in any particular case. Policy MEW 11 of the adopted UDP requires installations to be the Best Practicable Environmental Option (BPEO). The Welsh Government has published its Collections, Infrastructure and Markets Sector (CIMS) Plan, which is one of a suite of documents which collectively form the National Waste Strategy. As part of the development of the CIMS Plan a number of assessments were undertaken to determine the most sustainable method of treating Wales's waste. The conclusion drawn is that Anaerobic Digestion is the most appropriate method of treating food waste. Furthermore, the Welsh Government is actively supporting the development of Anaerobic Digestion to treat food waste

In Officers' view, the proposal represents the Best Practical Environmental Option for the waste stream concerned, and is therefore in line with the requirements of policy MEW 11 of the UDP.

4.2.3. Visual and Landscape Impact

The proposal site is located in a predominantly rural area between St Asaph and Rhualt. Holywell Road runs parallel with the A55 and serves a mix of uses, including a construction and demolition recycling facility, Nu Finish Garage and a small number of residential properties. The remaining land is predominantly in agricultural use. The proposal site lies approximately 1.7km from the Clwydian Range Area of Outstanding Natural Beauty (AONB). There are a number of Public Rights of Way with views into the site, including the Offa's Dyke National Trail which is approximately 1.9km away.

A Landscape and Visual Assessment was submitted in support of the application. A landscape and ecological mitigation strategy forms part of the submission and includes the retention of existing vegetation on parts of the site, and proposed native tree and shrub planting, as well as proposed native hedgerow planting. A number of mitigation measures are proposed to reduce the impact of the proposal on the surrounding landscape, including setting the building at a lower level than the surrounding landscape to the north and east, the use of colour to integrate the development into the surrounding area, protect existing trees and hedgerows in accordance with guidance set out in BS 5837:2012 Trees in relation to construction – Recommendations, the creation of new habitat areas including native hedgerows with trees, grassland areas and reinforcement of existing boundaries.

It is proposed to design lighting so as to minimise light spill, however, no firm details are included within the application. Lighting can have an impact on the landscape, and also impact on protected species using the site. The use of low or high pressure sodium lamps with glass glazing and accessories such as hoods, cowls, louvers and shields to direct the light are recommended within the Landscape and Visual Impact Assessment, as is limiting the use of lighting to those areas that need to be lit and timing so as to allow for dark periods. It is considered that lighting can be adequately controlled through the use of condition. The careful design of lighting is also required to ensure that the proposal does not have a detrimental impact on bat species, which is discussed in more detail below.

There is existing landscaping which provides an important visual screen between the abattoir and the adjacent residential property, Sylw Fan. The additional planting proposed will help mitigate the visual impact, both in terms of long distance views and views from the closest residential properties, outside land within the applicant's ownership

Policy GEN 6 of the adopted UDP requires proposals to incorporate, where possible, existing landscape or other features. Policy ENV 1 seeks to protect the landscape, allowing development that maintains or enhances the landscape character of the countryside. Policy ENV 2 seeks to protect the AONB, and includes development outside of the AONB which has the potential to impact on the AONB and Policy ENV 7 of the adopted UDP seeks to protect features of landscape value. Supplementary Planning Guidance Note 2 provides further advice as to how proposals can comply with policies GEN 6 and ENV 7. The Clwydian Range and Dee Valley AONB Joint Advisory Committee was supportive of the proposed landscaping scheme, but recommended that additional native tree and shrub planting to reflect the character of the local landscape would further reduce visual impact and enhance screening of the development from the AONB. CCW considered the planting scheme to mitigate landscape impacts to be satisfactory and highlight the importance of using native species of known provenance. The Campaign for the Protection of Rural Wales recommended that the proposed landscaping scheme was enhanced. SPG 2 recommends the submission of a planting plan, which is intended to ensure that the size and type of plant chosen is appropriate for the location and that the density of planting is acceptable

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4.2.4. Residential Amenity

There are a small number of residential properties within close proximity of the site. The closest residential property, Ty Newydd, fronts on to Holywell Road and forms part of the existing abattoir complex. The property is separated from the proposal site by the abattoir buildings, using the existing abattoir access to the east of the site, and would therefore not share the proposed access. Sylfan is located approximately 70m from the edge of the proposed development, fronting onto Holywell Road to the east of the site. There are mature trees which provide existing screening between Sylfan and the site which the applicant proposes to retain. There are two properties along the B5429 which are less than 250m from the site, one with flank walls facing into the site and the other with clear views into the site from habitable rooms. There are a small number of properties along Holywell Road to the west of the site, including a property to the west of the Nu Finish Garage and a group of 10 residential properties. The land slopes towards the west and it is considered unlikely that clear views will be possible from the 10 residential properties into the site.

Due to the nature of the proposed development it is necessary for the plant to operate 24 hours per day, although the applicant proposes to restrict deliveries of waste material to the site to between 08:00 to 18:00 Monday to Friday and 08:00 to 16:00 Saturdays, Sundays and Bank/Public holidays except Christmas day and Boxing Day. During the construction phase hours of operation are proposed to be 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 Saturday. Due to the proximity of the proposed development to residential properties it is considered necessary to restrict the hours within which deliveries to the site can be made and the undertaking of work that is audible beyond the site boundary. It is understood that due to the collection systems that the local authorities have in place deliveries will be required Monday to Saturday, including public holidays. As such, it is considered reasonable to restrict, through the imposition of condition, deliveries times so that no deliveries are made on Sundays. Work which is audible beyond the site boundary will be restricted, to those identified within the Council's standard conditions.

The applicant has undertaken an Air Quality and Odour Assessment in support of this application which considered the impact of the proposed development during both the construction phase and operational phase. Background air quality within the area is well within the national air quality objectives. Dust is predicted to have an impact during the construction phase; however, measures to

mitigate dust are proposed and considered sufficient to ensure it does not have an adverse effect on the adjacent residential properties. Odour is mitigated during the operational phase using appropriately designed buildings and odour control units. Food waste is to be delivered to site in sealed or covered vehicles and vehicles would be checked at the weighbridge before being directed into the reception hall to discharge. Discharge of waste material would only take place once shutter doors have been closed and transferred through enclosed pipe work into the process tanks, which are gas tight. Odour will be further controlled through the use of an odour control system using carbon filters, through which the air within the building will be extracted and filtered. The building will be sealed and maintained at negative pressure to ensure that odour cannot escape from the building.

A Noise Impact Assessment was also submitted in support of the application which concluded that, in relation to construction noise no significant impacts are predicted. Calculations of construction noise predicted to be of less than marginal significance with no tonal correction, and 2.4dB above marginal significance but below 'complaints likely' with a tonal correction. In order to meet 'of marginal significance' requirements of BS4142 the CHP unit steel container would have to be attenuated such that noise levels are no more than 72.5dB at 1m. The applicant proposes to containerise the power generation unit in acoustic enclosures and locate them within the building with silenced exhaust pipes to the outside to minimise noise levels. The assessment undertaken in support of the application assumed that the abattoir buildings remain. The Council own the site and intend to bring the remainder of the site into beneficial use, which may require the removal of some or all of the buildings. Removal of the buildings may necessitate the construction noise attenuation measures between the site and the residential property Ty Newydd. The Council would need to address this on the remainder of the site, once detailed plans for its future use are known.

The proposed development will require an Environmental Permit, which will also address air quality and odour. Odour emission limits will be applied and enforced by the Environment Agency.

In Officers' view, the measures proposed will ensure that the proposed development will not have a detrimental impact on residential properties within the vicinity of the site. In order to ensure that the measures proposed are fully implemented to the satisfaction of the Local Planning Authority it is considered necessary to include conditions to secure their implementation, and this would need to be extended to ensure future noise mitigation measures should the abattoir buildings be removed at a later date. The proposal is considered acceptable and in line with policy GEN 6: Development Control Requirements, EMP 7: Potentially Polluting Employment Development and EMP 8: Bad Neighbour Employment/Uses of the UDP, which seek to ensure that such uses do not have a detrimental impact on the amenity of surrounding areas or users of land.

4.2.5. Biodiversity Considerations

The proposal site forms open land to the rear of a disused abattoir and the surrounding land is predominantly in agricultural use. There are no statutory or non-statutory designated sites within 2km of the proposed and no statutory designated sites for bats within 30km. There are records of Great Crested Newt (*Triturus cristatus*) and other newt species, badgers, bats, otters, hedgehog, invertebrates within 2 km of the site which are protected either under domestic legislation, international legislation or both. The site itself was surveyed to confirm the presence or absence of protected species. Great Crested Newts (GCN) are considered separately given their protection under European law.

A survey, undertaken in 2011, concluded that no amphibian species were using ponds close to the site or the surrounding area and, as such, the Extended Phase 1 Habitat Survey Report considered that it is not necessary for further GCN surveys to be undertaken in support of the planning application. However, CCW did not agree with the conclusions drawn by the study, as distribution models suggest an 80% likelihood of occurrence for the species within the application site. CCW considers that the proposal has the potential to cause disturbance to GCNs and/or loss or damage to resting places. The County Ecologist also noted that whilst no newts were found in the pond during the survey, there is a high incidence of them in the area and no assessment of the terrestrial habitat usage by newts was made in the survey. It is therefore likely that they are using the terrestrial habitat and as such. It was advised that the applicant should submit a reasonable avoidance measures scheme, as well as details of habitat creation and enhancement to ensure that newts are still able to use the site and to mitigate for habitat loss as a result of the proposal. The applicant proposes a pond within landscape and Ecological Mitigation Strategy, which will maintain functionality of the population. In addition to additional refugia, to replace refugia lost, additional landscaping is considered necessary as well as landscaping to facilitate movement through the site. European Protected Species and their breeding sites and resting places are

protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 and under Article 12 of the EC Directive 92/43/EEC in the United Kingdom. Plans or projects that could affect European Protected Species must satisfy the appropriate Article 16 Derogation and two mandatory tests. Officers have completed an Article 16 Derogation Assessment and have concluded that if all the suggested planning conditions and obligations are implemented as recommended, then no impact on the favourable conservation status of great crested newt is anticipated. Without these conditions and obligations then approval of the proposal would be contrary to Article 16 of the Habitats Directive.

The site is currently disused and there are a small number of piles which could provide hibernacula for reptiles, which given the low level of disturbance may increase its suitability for the presence of reptiles. There is also suitable foraging habitat across the site. The Extended Phase 1 Habitat Survey Report recommends that prior to the start of the works the site is made unsuitable for reptiles and that opportunities should be explored for the provision of new hibernacula as part of the proposed landscape and ecological mitigation strategy. The use of a suitable condition can ensure that provision for new hibernacula is made.

The site contains habitat which may be suitable for breeding birds, as does the surrounding area. In order to reduce the impact of the proposed development on breeding birds the Extended Phase 1 Habitat Survey Report recommends that any tree and vegetation clearance should be undertaken outside the bird breeding season (i.e. from September to late February), or, if this is not possible, supervision of vegetation clearance by an ecologist would be required. The report also recommends that native hedgerow and woodland planting blocks should also be considered as part of the Landscape and Ecological Mitigation Strategy.

There are trees within close vicinity of the site which have potential for roosting bat species and the former abattoir buildings may also be suitable for roosting bats. The site itself could support foraging bats, if they are present. There is an oak tree within the site which is to be removed as part of the proposed works and which has potential for roosting bats. The Extended Phase 1 Habitat Survey Report recommends that a licensed bat ecologist should survey the trees prior to works. The report also recommends that native hedgerow planting would enhance opportunities for bat commuting in the area. Recommendations for suitable lighting are also included, to limit the part of the site that needs to be lit and the use of low or high pressure sodium lamps with glass glazing.

Planning Policy Wales highlights the importance of biodiversity and the conservation of native habitats and species. Technical Advice Note 5: Nature Conservation and Planning, provides further guidance to local authorities. Policy ENV1 of the adopted Unitary Development Plan requires development to be designed to maintain or enhance biodiversity of the natural environment. While there will be some loss of plant species on the site, the overall quality of the habitat on the site is relatively low. The information submitted by the applicant in support of the application includes a number of recommendations.

In Officers' view, the inclusion of conditions to ensure recommendations are implemented and to address the issues raised by CCW and the County Ecologist will help ensure that the proposal does not have a detrimental impact on biodiversity, including species which are protected by national and European legislation. Subject to the inclusion of conditions to address the matters raised above, the proposal is considered acceptable and in accordance with policy ENV 1 and ENV 6 of the UDP.

4.2.6. Health Impacts and nuisance issues: Odour, dust, pests

An Air Quality and Odour Assessment was undertaken in support of the application. The report provides a qualitative assessment of air quality, as a detailed modelling of the proposed plant is required for the Environmental Permit application. The potential impact of dust is considered during the construction phase and the operation phase and is discussed in detail in relation to residential amenity. Due to the nature of the waste to be accepted on the site, if not appropriately managed, there is the potential to release bioaerosols into the environment, which may have a detrimental impact on human health. The proposed delivery mechanisms and the sealed nature of the process address these issues so that the risk is, in Officers' view, negligible. The site will require an Environmental Permit which will tightly control emissions. A condition to ensure that all vehicles entering and leaving the site are sealed and a condition to ensure that the reception building is not operated unless the proposed odour control measures are in place and effective are considered necessary to ensure that nuisance issues do not arise and that the proposed facility does not have a

detrimental impact on human health. Subject to the inclusion of these conditions, the proposal is considered acceptable and in line with policies GEN6, ENP1, EMP7, EMP8, and MEW11 of the UDP.

4.2.7. Highways

The proposed development will result in an increase in vehicle movements. Food waste will be transported to the site in sealed 20 tonne Heavy Goods Vehicles (HGVs) and will be removed from the site by tankers with a 15 cubic metre capacity. The applicant has submitted a Transport Statement in support of the application which considers the impact of both the proposed AD facility and the abattoir, if re-commissioned, and the impact of the proposed AD facility and industrial development, if the extant planning permission was implemented. It should be noted that the operation of the abattoir and the industrial development cannot be implemented together. The proposed anaerobic digestion facility is estimated to generate 102 vehicular trips per day. The Statement concludes that the additional trips can easily be accommodated on the local highway network. The Highways Officer has not raised any concerns regarding the capacity of the highways to accommodate the proposal and the Welsh Government, as highway authority for the A55 Trunk Road, have not issued a direction in respect of the application. The Highways Officer requested a condition for the provision of facilities for the loading, unloading, parking and turning of vehicles to ensure that reversing by vehicles into or from the highway is unnecessary, and in the interests of highway safety. In relation to highways, it is considered that the proposal is acceptable and in accordance with policy TRA 6 of the UDP.

4.2.8. Flooding and surface water drainage

The site is located outside of the flood plain. Nevertheless, the applicant submitted a flood consequences assessment in support of the application.

The proposed development will require an Environmental Permit, which requires certain elements of the development to be bunded. All proposed operations will be undertaken either within buildings or on concrete hard standing areas. The hard standing areas will be laid to fall to ensure the appropriate collection and management of water resources. Rainwater falling on the buildings will be collected and used as cooling or process water in the AD plant or discharged to the surface water drainage scheme (to be agreed), via an oil interceptor. A new catchment drain will discharge to the existing surface water drainage system immediately to the south of the site. All fuel will be stored in bunded areas to contain spillages. It is proposed that detailed details of the drainage system will be agreed with the Environment Agency, in accordance with best practice for sustainable drainage systems. In order to ensure that an adequate drainage system is implemented it is considered necessary to include a condition requiring the submission of further details. Subject to the inclusion of the condition discussed above, in relation to flooding and surface water drainage, the proposal is considered acceptable and in line with policies ENP4 and ENP 6 of the UDP.

4.2.9. Contaminated land

The site is the location of a former abattoir, which is a potentially contaminative use. The applicant submitted a Phase 1 Contaminated Land Risk Assessment in support of the application identified a suspected foot and mouth burial pit to the south of the application site, and to the north of the abattoir buildings. There is also a former stream channel which runs north to south through much of the site. Made ground is encountered on various parts of the site. The Phase 1 Contaminated Land Risk Assessment contains a number of recommendations, including a ground investigation to inform a Phase II Contaminated Land Risk Assessment and Remediation Strategy, which should be undertaken prior to construction of the scheme. The document contains detailed recommendations which are intended to address issues of contamination, in the interests of protecting human health and the environment. The Environment Agency has advised that a number of conditions are attached to any consent, to ensure that the proposed development does not pose an unacceptable risk to the environment. Advice has also been obtained from the contaminated land officer in Flintshire, who recommended a number of conditions to ensure that the recommendations contained within the Phase 1 Contaminated Land Risk Assessment are undertaken. This proposal offers the opportunity to address historical contamination on the site and, subject to the inclusion of the conditions discussed above, is considered in line with policy ENP 8 – Contaminated Land, of the UDP.

4.2.10. Sustainability code issues

Planning Policy Wales requires proposals over 1,000sqm floor space, or over 1ha to meet the Building, Research Establishment Environmental Assessment Method (BREEAM) 'Very Good' standard. The site is 1.2ha and comprises the construction of buildings which exceed 1,000sqm. The majority of the floor space is occupied by structures which are not occupied, including a storage tank,

digester tanks, a pasteurizer, a raw waste buffer tank, and a gas holder. These structures are designed to ensure they do not release pollutants into the environment. The reception building occupies a footprint of approximately 812m², which is below the threshold of 1,000sqm. The purpose of the BREEAM requirement, as identified within PPW, is to move towards more sustainable and zero carbon buildings in Wales. Technical Advice Note (TAN) 22: Planning for Sustainable Buildings, advises that there may be instances when it is inappropriate to require compliance with the standards set out in PPW, for example, where a proposed development would have an inherently low heat and energy demand.

The proposal itself is considered inherently sustainable, as its purpose is the treatment of waste and the generation of renewable energy. The proposal will divert approximately 22,500 tonnes of biodegradable waste from landfill, will produce approximately 1MW of renewable energy and will produce a nitrate and potash rich bio-fertiliser that will be utilised on local farm land. This will reduce greenhouse gas emissions, off-set the need for fossil fuels and reduce the need for fossil fuel based fertilisers.

On balance, given the inherently sustainable nature of the proposed development and its scale, it is considered unreasonable to require compliance with the BREEAM 'Very Good' standard.

4.2.11. Environmental Impact Assessment

The requirement for an Environmental Impact Assessment on this site for an Anaerobic Digestion facility has been considered a number of times by the Local Planning Authority. The proposal is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999. However, in Officer's view the proposal is not more than local significance. The nature, scale and location of the development is proportionate to the setting and current use of the land and surrounding areas. The potential for significant adverse impact on the environment and population is considered to be low and the proposal does not affect a significant population. Sufficient environmental information has been provided to enable an informed decision to be made.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The proposed development will assist in the diversion of biodegradable waste from landfill and will assist Denbighshire, Conwy and Flintshire Waste Disposal Authorities in achieving the targets set out in the National Waste Strategy 'Towards Zero Waste'. The proposal will also produce renewable energy, contributing towards the targets set out in the Welsh Government's Energy Policy Statement.
- 5.2 Measures proposed by the applicant will ensure the proposal does not have a detrimental impact on neighbouring residential properties and the proposed landscaping measures will help assimilate the development into the landscape and mitigate any impact on views from the AONB.
- 5.3 The proposed development is located outside the development boundary; however, it is located on land formerly in employment use and is considered to offer the opportunity to address historical contamination on the site. The proposal would also help the diversification of the rural economy, directly through the provision of jobs in a rural area and indirectly through the provision of sustainably sourced fertiliser.
- 5.4 On balance, the benefits of the proposal are considered to outweigh any detriment likely to be caused by the construction and operation of the facility, which in Officers' view can be adequately mitigated. The proposal is therefore considered in accordance with national policy, regional policy and policies outlined in the report.

RECOMMENDATION: -GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority a minimum of 14 days prior to commencement.
2. Notwithstanding the provisions of Part 8 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order, with or without modifications) no fixed plant or machinery, buildings, structures and erections, or private roads shall be erected, extended, installed, or replaced within the site without the prior written approval of the Local Planning Authority.
3. The site shall be used only for the anaerobic digestion of food waste and for no other purpose (including any other purpose in Class 8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any

provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

4. Nothing other than biodegradable material shall be deposited/treated at the site.

5. No waste, or any other material produced during the operation of this facility, shall be stored in the open air.

6. No Construction activities shall take place on the site outside the following times: 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 Saturday, nor at any time on Sundays or Public Holidays.

7. Construction work which is audible beyond the site boundary shall only be carried out between 08:00 and 18:00 Monday to Friday and between 08:00 and 13:00 Saturday and not at all on Sundays or public holidays.

8. During the operational phase of the site the permitted hours of operation for the delivery of waste are permitted to be: 08:00 to 18:00 Monday to Friday and 08:00 to 16:00 Saturdays, and Public holidays except Christmas Day and Boxing Day, and no working on Sundays, except in emergency, or with the prior written agreement of the Local Planning Authority.

9. There shall be no burning on site.

10. **PRE-COMMENCEMENT CONDITION**

Prior to commencement of the development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the measures to mitigate dust as a result of the construction works and should be based upon the measures set out in the Air Quality and Odour Assessment submitted in support of this application and dated August 2012. The Construction Environmental Management Plan, as agreed by the Local Planning Authority, shall be implemented and complied with at all times during the construction phase of the development.

11. In the event that the abattoir buildings are demolished, measures to ensure that noise arising from the activities on site does not have a detrimental impact on neighbouring residential properties shall, as soon as reasonably practicable, or within a timescale to be agreed in writing with the Local Planning Authority, be submitted to, and approved in writing by, the Local Planning Authority. The measures proposed shall be implemented as approved and remain effective while the plant is operational.

12. The quietest available items of plant and machinery shall be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.

13. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

14. Details of the location, height, design, sensors, and luminance of all external lighting (which shall be designed to minimise the potential nuisance of light spillage on adjoining properties and highways), shall be submitted to and approved in writing by the Local Planning Authority before any works are commenced.

15. Any floodlights shall only be illuminated when essential for the safe and effective operation of the facility and should not cause nuisance or disturbance to neighbouring properties.

16. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be agreed with the Local Planning Authority, and shall be completed prior to the proposed development being brought into use.

17. No loaded vehicles shall enter or leave the site un-sheeted except those only carrying material in closed containers.

18. **PRE-COMMENCEMENT CONDITION**

The development hereby permitted shall not be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable Drainage Systems (SuDS) and the results of the assessment provided to the Local Planning Authority.

19. **PRE-COMMENCEMENT CONDITION**

The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system has been submitted to and approved in writing by the Local Planning Authority.

20. **PRE-COMMENCEMENT CONDITION**

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risk associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

a) A site investigation scheme, based upon the Phase 1 Contaminated Land Risk Assessment submitted in support of the application, to provide information for a detailed risk assessment of the risk to all receptors that may be affected, including those off site.

b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages. Maintenance and arrangements for contingency action.

Any changes to any of the components above require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

21. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance arrangements for contingency action, as identified within the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

23. **PRE-COMMENCEMENT CONDITION**

Prior to commencement of the development, a landscape plan, based upon the Landscape and Ecological Mitigation Strategy, shall be submitted to and approved in writing by the Local Planning Authority. The landscape plan shall provide details of the native plant species to be used and the density of planting as well as details of reptile hibernacula to replace the brash and rubble piles to be lost. The landscaping scheme shall be fully implemented and retained for the duration of the operation of the facility. Any planting becoming severely damaged or seriously diseased, or which is in poor physiological condition and/or removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

24. **PRE-COMMENCEMENT CONDITION**

Prior to commencement of the development, a detailed amphibian Reasonable Avoidance Measures Scheme shall be submitted to and approved in writing by the Local Planning Authority.

25. **PRE-COMMENCEMENT CONDITION**

Prior to commencement of development, details of habitat creation and enhancement proposals for Great Crested Newt population, including long term site management and monitoring proposals, and long term site security proposals shall be submitted to and approved in writing by the Local Planning Authority. The proposals submitted shall be implemented as approved.

26. The clearance of vegetation shall be undertaken outside of the bird breeding season, March to September inclusively. Any clearance works to be undertaken during the bird season shall only be undertaken with the express permission of the Local Planning Authority, under the supervision of a suitably qualified Ecologist.

27. Prior to the removal of any trees within the site, a licensed bat ecologist shall survey any trees to be removed. A report detailing the outcome of the survey and any recommended mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved report.

28. The colour of all structures on site shall be olive green unless otherwise agreed in writing by the Local Planning Authority.

29. The reception building shall not operate at any time unless fitted with the appropriate and effective air extraction systems and biofilters and carbon filters.

30. In the event of the facility hereby approved being decommissioned, all plant, equipment, structures and hardstanding shall be removed and the site restored within 3 years, unless otherwise agreed in writing by the Local Planning Authority. An aftercare scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any restoration works, and the works undertaken in accordance with the approved scheme.

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. Reason: There is an exceptional need to secure control over additional plant and machinery, in the interests of the amenity of the area and bearing in mind the degree of discretion otherwise allowed by the GPDO, in accordance with policies GEN 6 and ENV 2 of the UDP.
3. Reason: In order to protect the visual and residential amenity of the area and to regulate the use of land, in accordance with policies GEN6 and MEW 11 of the UDP.
4. Other waste materials raise environmental and amenity issues that would require consideration afresh, in accordance with policy MEW 11 of the UDP.
5. In the interests of residential and visual amenity, in accordance with policies GEN 6 and MEW 11 of the UDP.

6. In the interests of residential amenity, in accordance with policies GEN 6 and MEW11 of the UDP.
7. Reason: In the interests of residential amenity, in accordance with policies GEN 6 and MEW 11 of the UDP
8. In the interests of residential amenity, in accordance with policies GEN 6 and MEW 11 of the UDP.
9. In the interests of the amenity of the area and to prevent pollution, in accordance with policies GEN 6 and MEW 11 of the UDP
10. In the interests of residential amenity, in accordance with policies GEN 6 and MEW 11 of the UDP.
11. In the interests of residential amenity, in accordance with policies GEN 6 and MEW 11 of the UDP.
12. In the interests of residential amenity, in accordance with policies GEN 6 and MEW 11 of the UDP.
13. To ensure minimum disturbance from operations and avoidance of nuisance to the local community, in accordance with policies GEN 6 and MEW 11 of the UDP.
14. To minimise the nuisance and disturbances to neighbours (and the surrounding area and in the interests of highway safety) and to minimise the impact of the development on protected species, in accordance with policies GEN 6, ENV 1, TRA 6, and MEW 11.
15. To minimise the nuisance and disturbances to neighbours (and the surrounding area and in the interests of highway safety).
16. To provide for the loading, unloading, parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety, in accordance with policies TRA 6 and TRA 9 of the UDP.
17. In the interests of highway safety and safeguarding the local environment, in accordance with policies GEN 6 and MEW 11 of the UDP.
18. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, in accordance with policies GEN 6, ENP 4, ENP6, and MEW 11 of the UDP.
19. To reduce the risk of flooding to the proposed development, in accordance with policies GEN 6, ENP 4, ENP6, and MEW 11 of the UDP.
20. The site and the immediately adjacent land have been subject to potentially contaminative previous uses, in accordance with policy ENP 8 of the UDP.
21. The site and the immediately adjacent land have been subject to potentially contaminative previous uses. The condition is considered necessary to ensure the proposed development is in accordance with policy ENP 8 of the UDP.
22. The site and the immediately adjacent land have been subject to potentially contaminative previous uses; and no investigation can fully quantify potential contamination on a site. The condition is considered necessary to ensure the proposed development is in accordance with policy ENP 8 of the UDP.
23. In the interests of visual amenity and to ensure that the development does not have a detrimental impact on protected species, in accordance with policies GEN 6, ENV1, ENV2, ENV 7 and MEW 11.
24. To ensure that the development is not detrimental to the maintenance of the population of the Great Crested Newt at a favourable conservation status in their natural range. The condition is considered necessary to ensure the proposed development is in accordance with policy ENV 6 of the UDP.
25. To ensure that the development is not detrimental to the maintenance of the population of the Great Crested Newt at a favourable conservation status in their natural range. The condition is considered necessary to ensure the proposed development is in accordance with policy ENV 6 of the UDP.
26. To ensure that the development does not have a detrimental impact on breeding birds, in accordance with the requirements of section 40 of the Natural Environment and Rural Communities (NERC) Act (2006). The condition is considered necessary to ensure the proposed development is in accordance with policy ENV 6 of the UDP.
27. To ensure that the development does not have a detrimental impact on bats, and in accordance with policies ENV 1 and ENV 6 of the UDP.
28. In the interests of visual amenity. The condition is considered necessary to ensure the proposed development is in accordance with policies GEN 6 and ENV 2 of the UDP.
29. In the interest of residential amenity of the area, and in accordance with policies GEN 6, ENP 1, EMP 7, EMP 8 and MEW 11 of the UDP.
30. In the interests of the visual amenity of the area, in accordance with policy ENV 2 of the UDP.

NOTES TO APPLICANT:

- (i) Highway Supplementary Notes Nos. 1, 3, 4, 5, & 10
- (ii) New Roads and Street Works Act 1991-Part N form
- (iii) Highways Act 1980 Section 184 Consent to Construct a Vehicular Crossing Over a Footway.

Sewerage

It may be possible for the Developer to requisition sewers from Dwr Cymru Welsh Water under Sections 98-101 of the Water Industry Act 1991.

Water Supply

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40-41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to:

Dwr Cymru
Welsh Water
Developer Services
PO Box 3146
Cardiff
CF30 0EH