

DENBIGHSHIRE COUNTY COUNCIL

**LOCAL DEVELOPMENT PLAN
2006 – 2021**

MAY 2013

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CHAPTER 1

INTRODUCTION

This document contains local planning policies, which sit within the framework of national planning policies set out by the Welsh Government. These policies are designed to take forward the Local Development Plan objectives, spatial strategy and vision for this County; 'Denbighshire by 2021'. Policies are grouped under five key themes in line with the Wales Spatial Plan: Respecting Distinctiveness (RD), Building Sustainable Communities (BSC), Promoting a Sustainable Economy (PSE), Valuing Our Environment (VOE) and Achieving Sustainable Accessibility (ASA).

The Local Development Plan does not repeat national planning policies, national guidance or other legislation. However, those policies, statutory instruments and further legislative requirements will also be a material consideration when making decisions on both development proposals and planning appeals. The relevant national policy guidance is linked to each Local Development Plan policy for ease of reference. Appendix 1 to this document also sets out links with national planning policies but readers should be aware that these tables are by no means exhaustive.

Denbighshire County Council will produce a number of Supplementary Planning Guidance Notes (SPGs), providing detailed guidance on individual policies. Once an SPG has been adopted, it will be used in the decision making process. Altogether these documents provide the framework for the use and development of land within the county.

The number of local planning policies relevant to individual development proposals will vary, depending upon the location, circumstances and considerations material to the proposal itself. Therefore, the Local Development Plan must be read as a whole.

CHAPTER 2

PLANNING POLICY CONTEXT

The Local Development Plan forms part of a range of plans, policies and programmes which have an influence over development in Denbighshire. In preparing this Plan the Council must have regard to national and regional strategies and the Local Development Plan has an important role in delivering and implementing many of these plans and programmes. Summarised below are the key points from the relevant strategies and plans.

Wales Spatial Plan (2008 update)

Denbighshire falls into two Spatial Plan areas, the North East Wales – Borders and Coast, and Central Wales Areas.

North East Wales – Borders & Coast

Priorities within the Wales Spatial Plan that have implications for the Local Development Plan can be summarised as:

Coastal Area

- The identification of a Hub centred around Rhyl, St Asaph, Bodelwyddan and Prestatyn with the aim of fostering economic and social growth and inclusiveness, addressing socio-economic deprivation and improving access to services and employment inland.
- Providing a realistic scale of development. Developing a distinct identity, unique sense of place, outward looking, safe communities, enhancing Welsh language and culture, improved accessibility to the rural hinterland.
- Health related growth is an opportunity at Bodelwyddan.
- A Strategic Employment Site has been identified at St Asaph West and Bodelwyddan.
- Coastal tourism resorts need to diversify their economies to improve their image and leisure offer.
- Rhyl-Foryd harbour is identified as needing further assessment for development.
- Regeneration programmes centred around Rhyl and Colwyn Bay are identified.

Rural Hinterlands and market towns

- Denbigh and Ruthin are identified as rural service centres offering a range of facilities. Priority is to strengthen their role and reduce the need to travel.
- Llangollen has been identified as having an international market for tourism.

Central Area

The central area is rural in nature with a high quality environment and a drive to foster sustainable rural development.

- Denbigh, Ruthin, Corwen and Llangollen are identified as a primary settlement cluster with links to the Chester sub region and the Bala area.

- Llangollen is earmarked as a settlement with a tourism focus.

The Big Plan: Part 1 2011-14

The Big Plan brings together the Community Strategy, Health, Social Care & Well-being Strategy, Children & Young People's Plan and Community Safety Plan for Denbighshire. Key issues identified in the plan relate to:

- Older people
- Regeneration in Rhyl
- Children and young people's skills
- Vulnerable families
- Rural areas
- Healthy lifestyles
- Keeping people safe
- Denbighshire's economy and workforce.

Action plans will be produced covering each area of the Big Plan, for which the Local Development Plan will be a key delivery mechanism.

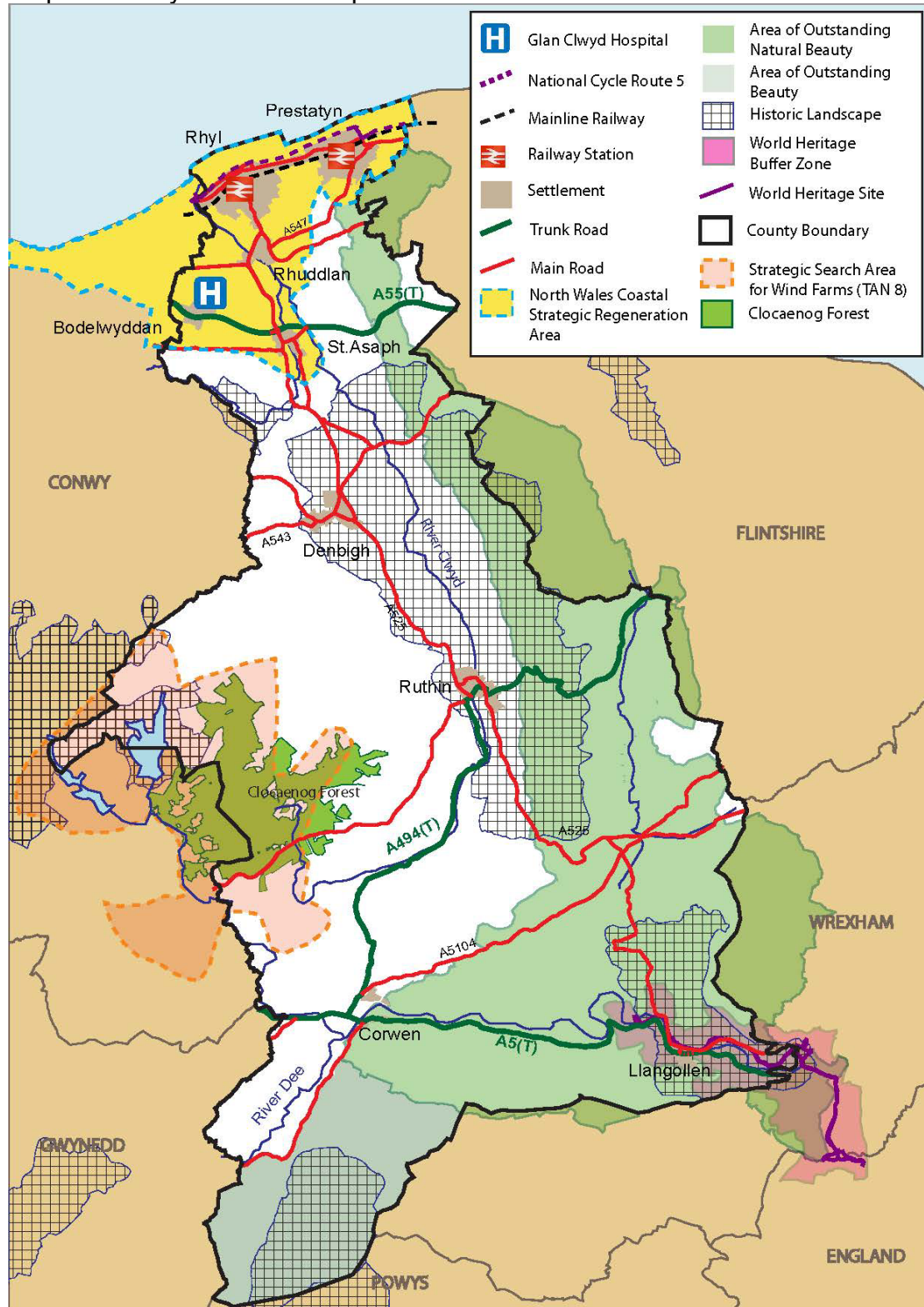
Other Regional and Local Strategies

Due regard has also been given to many other approved and emerging regional and local strategies such as the Regional Waste Plan; Regional Transport Plan; Local Housing Strategies and the Local Biodiversity Action Plan and AONB Management Plan. Details of all plans considered whilst developing the Local Development Plan can be found in the Sustainability Appraisal report that accompanied the Deposit Local Development Plan.

Neighbouring areas

Denbighshire borders five other local authorities and the importance of the relationships and influences between these and the wider sub region has been recognised in the development of the Local Development Plan. Denbighshire has clear linkages in terms of housing, employment and tourism markets with Conwy, Flintshire and also the Cheshire West & Chester sub-region.

Map 1: County Character Map



CHAPTER 3

THE LOCAL DEVELOPMENT PLAN VISION

The Local Development Plan Vision sets how Denbighshire County will have developed by the year 2021 through the influence of the planning process.

Denbighshire by 2021

That Denbighshire, through sustainable development, will have a vibrant urban coast, with thriving market towns and rural areas. The housing and employment needs of the County will be met, the high quality environment protected and enhanced and a high quality of life maintained for all communities with full recognition that we have a strong Welsh language and culture that should be maintained and protected throughout the County.

Across the County the high quality environment will continue to have been protected and enhanced through directing development towards existing centres. The environment, including nature conservation interests will have been enhanced through management agreements linked to development sites.

New development sites will demonstrate high levels of sustainable development and seek to achieve low, or even zero, carbon status. Design standards will have been improved, enhancing the high quality natural and built environment of the County.

Denbighshire will be making a significant contribution to managing climate change through the promotion of renewable energy technologies and innovative design, the requirement for high levels of sustainable construction and development and through directing new development away from areas of flood risk.

The demographic profile of the County will be influenced through the provision of an adequate supply of quality housing and employment opportunities. Denbighshire will be retaining a greater proportion of its younger, economically active population and attracting more economically active migrants than previously.

Rhyl will be an attractive place to live and work with improved housing stock and a reduction in the levels of multiple deprivation currently seen. The Local Development Plan will play a part in this by encouraging regeneration through support for the initiatives arising from the Strategic Regeneration Area designation and by focussing development opportunities onto brownfield sites within the current town limits. The retail performance of Rhyl will have been improved through the re-development of the Queen's Arcade, reinforcing its role as a sub-regional shopping centre.

The coastal resorts of Rhyl and Prestatyn will be re-positioning themselves within the tourism market to take advantage of growth sectors such as short breaks and activity tourism. The Local Development Plan will assist in this through restricting the development of static caravan parks and seeking to improve existing ones. The

coastal strips of both towns will be protected for tourism purposes and the development of appropriate outdoor activity will be supported.

Bodelwyddan will have become a much expanded settlement serving much of the housing and employment needs of the north of the County. The employment allocations at Bodelwyddan and St Asaph will be supporting the regeneration of Rhyl and also providing attractive opportunities for inward investment and expansion of high quality businesses within the County. Transport linkages between the A55 corridor and the coast will have been improved through the increased viability of public transport services due to the rise in population in this area.

The market towns of Denbigh, Ruthin and Corwen will have been strengthened through the development of new market and affordable housing and employment sites to meet local needs. Llangollen will have been supported in its role as an important tourism hub through the protection and enhancement of the town and its wider environment. Existing brownfield sites will have been redeveloped and the expansion of the town carefully controlled. These centres will continue to serve many of the needs of the surrounding rural areas.

The rural areas will be more sustainable having been allowed an appropriate level of growth to help to support rural services and facilities. Progress will have been made on meeting affordable housing needs for local people and appropriate rural employment proposals developed to strengthen and diversify the rural economy.

CHAPTER 4

ISSUES AND OBJECTIVES

The Pre-Deposit Local Development Plan identified a number of key issues. The following section summarises these key issues from which the Denbighshire Local Development Plan objectives have been derived:

Key issues facing the County (in no particular order)

- There is a lack of housing, including affordable housing, for local needs to meet the predicted growth in population.
- There has been an historical lack of growth in rural areas to sustain facilities and provide homes for local people.
- There is a lack of serviced employment land to improve economic prosperity.
- Rhyl is currently underperforming as a sub-regional retail centre, other market town and village centres are vulnerable to increased competition from other centres outside of the County.
- Some areas in the north of the County are experiencing high levels of multiple deprivation.
- Access to transport – away from the coast and the A55 corridor both public and private transport networks are relatively poor.
- Welsh language and culture may be threatened by some types and scale of development.
- Infrastructure issues across the County, i.e. road, sewerage and waste management facilities, lack of open space and community facilities.
- There is a high quality built and natural environment in Denbighshire which should be protected and enhanced. The opportunities to enhance and develop environmental goods and services should also be explored.
- Areas of flood risk exist across the County; the coastal areas are particularly affected.
- Climate change – responses are required to address its potential impacts both in Denbighshire and on a wider scale.

Objectives

The following objectives have been developed to address identified issues and needs within Denbighshire. These will need to be met in order to achieve the Vision for the County up to the year 2021. The Local Development Plan policies

aim to address these objectives and relevant objectives are listed after the justification to each policy.

Population and Community

1. The Local Development Plan will aim to meet projected housing needs in terms of a total number, type and size of dwellings, including provision of affordable housing.

Economy and Jobs

2. The Local Development Plan will ensure the County has economically viable, i.e. deliverable, and well planned strategic employment sites in areas of greatest demand and where they will support sustainable development.
3. The Local Development Plan will also allow sufficient flexibility to provide for local employment opportunities, particularly in rural areas.

Retail

4. The Local Development Plan will aim to re-establish Rhyl as one of the sub-region's most attractive shopping centres.

Transport

5. The Local Development Plan will place emphasis on integrating land uses, such as, employment, housing, transport, with a view to reduce the need to travel and will promote sustainable transport.
6. The Local Development Plan will make the best use of the County's two existing key transport corridors - the A55 trunk road and the North Wales Coast main railway line.

Welsh Language

7. The Local Development Plan will ensure that the impact of new development on the Welsh language and culture will be assessed in all parts of the county.

Public Open Space

8. The Local Development Plan will seek to protect existing open space and ensure that new developments make an adequate contribution to public open space provision.

Minerals

9. The Local Development Plan will seek to meet its local and regional mineral needs in the most sustainable manner.

Waste

10. The Local Development Plan will ensure that Denbighshire has adequate land available for the development of waste facilities to help progress the management of waste up the waste hierarchy and contribute towards meeting the needs of the region.

Energy

11. The Local Development Plan will ensure that Denbighshire makes a significant contribution to reducing greenhouse gases through both supporting the principle of large wind farm development within identified zones and other suitable renewable energy technologies, and ensuring that all new developments are built to minimise their carbon footprint.

Infrastructure

12. The Local Development Plan will ensure that an adequate level of physical and community infrastructure will be provided alongside new developments, e.g. water supply, primary care facilities, schools, roads, community facilities.

Mixed Use Development

13. The Local Development Plan will ensure that mixed use development sites are brought forward in key locations to ensure a better delivery of infrastructure and to support well integrated communities.

Design

14. The Local Development Plan will ensure that new developments are sustainable and of good quality design whilst taking into account the requirements of flood risk.

Tourism

15. The Local Development Plan will seek to enhance and sustain sustainable tourism in the rural and coastal areas of the County.

Areas of Protection

16. The Local Development Plan will seek to protect and enhance the natural and built heritage of the County including aspects such as landscape, biodiversity, geo-diversity, designated sites and buildings and protected species. Environmental services and goods will additionally be enhanced and developed.

The table in Appendix 2 sets out the key issues facing the County, related Local Development Plan objectives and the relevant policies in the Plan which contribute towards tackling those issues and meeting the objectives.

CHAPTER 5

DENBIGHSHIRE'S LOCAL DEVELOPMENT PLAN STRATEGY

The Local Development Plan strategy sets out the broad approach that will be taken in addressing the County's development needs in a sustainable manner. It takes account of other local, regional and national policies, key issues facing the County and the Local Development Plan Vision and objectives as outlined in previous chapters.

Sustainable development lies at the heart of the Local Development Plan; it underpins the objectives of the Plan and has been applied to the land use policies and land allocations that form the detail of the Local Development Plan. The sustainability of the Local Development Plan has been thoroughly tested via the Sustainability Appraisal process (incorporating Strategic Environmental Assessment), details of which can be found in the Sustainability Appraisal report that accompanies the Local Development Plan.

Scale of Development

Denbighshire has a high quality natural and built environment and the Local Development Plan will aim to meet the needs of local communities within the environmental capacity of the County. This will require a careful balance to provide affordable homes, economic development and making communities more self sustaining along with restraint to ensure environmental protection. It is important to consider the capacity of each settlement to accommodate growth and their ability to accept different rates of development.

Housing

The Local Development Plan strategy provides for 7,500 new dwellings to be developed over the Plan period an average of around 500 per year. From this housing requirement figure, various factors need to be taken into account, in order to broadly calculate the amount of housing that needs to be accommodated in urban extensions (sites located outside but adjacent to existing settlements).

Of the 7,500 dwellings required, 1,410 have already been built since the start of the plan period (2006)¹. A further 1,749 have planning permission. The Local Development Plan makes new allocations for approximately 3,300 new dwellings principally in Bodelwyddan and other settlements to the north of the A55 together with sites in Denbigh, St Asaph, Ruthin and Corwen. It is considered that a further 1,400 can be accommodated within existing development boundaries.

Employment Land

It is a Local Development Plan objective to provide employment opportunities within the County and reduce the need to commute long distances to improve

¹ This figure relates to all completions on large sites, small sites and conversions since 1st April 2006 to 1st April 2012.

sustainability. Around 50 hectares of employment land will be allocated in the Local Development Plan.

Spatial Strategy

The Local Development Plan spatial strategy is to focus development into a small number of large sites in the north of the County, with smaller scale new development being supported in other County settlements. The main justification for this spatial approach is based on the issues and objectives set out in the preceding chapters, which in summary include:

- Benefits of large mixed use developments in integrating land uses (homes, shops, leisure facilities and jobs) to create sustainable communities;
- Benefits of larger mixed use developments in delivering significant infrastructure investment and community facilities;
- The north of the County has the 64% of the County's population, the greatest level of housing need and the strongest housing market;
- The County's main public transport nodes are located to the north – primarily based around the train stations at Rhyl and Prestatyn;
- The A55(T) is located in the north – this road is a trans-European network and is the source of considerable commercial and commuter activity;
- The constraints on development land are more significant in the south of the County.
- The need to protect and enhance the natural and built heritage of the County.

It is important to consider that, whilst this spatial strategy aims to concentrate the majority of the Local Development Plan development requirements into the north of the County, it does not aim to preclude development opportunities in other parts of the County. Smaller scale sites have been allocated in other settlements to meet local needs.

The distribution of growth and new development in the County will be largely determined by the settlement hierarchy and associated spatial strategy. All settlements within the County have been placed into a five tier classification system as set out below. Further detail is set out in Policy BSC 1 - Growth Strategy for Denbighshire. Development boundaries have been defined for Bodelwyddan, the Lower Growth Towns, and villages within the settlement hierarchy; these are shown on the proposals maps. Development boundaries have been drawn to allow for an appropriate level of development for each settlement and to follow clearly identifiable features. Within development boundaries, new development will, in principle, be supported provided that it meets the criteria of other policies in the Local Development Plan and material planning considerations.

Key Strategic Site – Bodelwyddan

Bodelwyddan has been identified as a Key Strategic Site to meet the needs of Denbighshire in line with the LDP strategy. This large mixed use site will deliver new housing, employment opportunities, open space and community facilities,

creating a sustainable, expanded community. The site is identified on the proposals maps.

Lower Growth Towns

The towns of Rhyl, Prestatyn, St Asaph, Denbigh, Ruthin and Corwen have been identified as lower growth towns. These towns function as regional and/or local service centres with wide rural hinterlands. These centres will collectively make an important contribution to the overall housing and employment requirements of the County. Development boundaries have been drawn for each town and the proposals maps show housing, employment and retail allocations as appropriate.

Villages

The settlement tier for villages contains both traditional villages and the towns of Rhuddlan and Llangollen. This tier in the hierarchy refers to the level of growth that it is considered is appropriate for each of these settlements as opposed to any strict definition of what constitutes a 'village'. The amount of growth will vary between villages and growth will be primarily to meet local needs. All villages have defined development boundaries and where appropriate housing and employment allocations are shown on the proposals maps.

Hamlets

A settlement tier for hamlets has been developed in response to local concerns that development opportunities for local people have been overly constrained in very rural areas in previous Plans. Hamlets have been defined as having a community facility such as a school, shop, pub, place of worship etc either within the settlement or being a settlement that supports a neighbouring facility. Housing growth within hamlets will still be limited by a quota for each settlement and tied to local needs, with the aim of helping to sustain local communities and facilities. No development boundaries have been defined for hamlets as these would be overly restrictive given the limited amount of development that would be permitted; instead areas of search are shown on the proposals maps within which appropriate affordable housing proposals will be considered.

Open Countryside

All other areas are classified as open countryside where development opportunities will be strictly controlled in line with national policy. There will be a limited contribution to meeting housing needs through conversions of redundant rural buildings and infill development. Appropriate employment opportunities will also be supported to help sustain local communities.

Phasing

In general, it is expected that housing development will be delivered by the private sector, including housing associations (Registered Social Landlords, or RSLs). The private sector is also expected to make a contribution towards much of the public

infrastructure, including transport improvements and leisure, educational, and community facilities.

The ability of the private sector to deliver the above will be heavily influenced by external economic circumstances and infrastructure requirements. For this reason it is highly likely that delivery of housing completions in particular will vary considerably over the 15 year period of the Plan. It is anticipated that housing development will be broadly phased across the Plan period as follows:

Phase	No. Units	Dwellings per annum (approx.)
1 (2006/07 – 2010/11)	1,205 (actual completions)	250
2 (2011/12 – 2015/16)	2,667	533
3 (2016/17 – 2020/21)	3,628	727
TOTAL	7,500	Average 500 per annum

CHAPTER 6 – LOCAL DEVELOPMENT PLAN POLICIES

Theme: Respecting Distinctiveness

Respecting distinctiveness is concerned with the identity of an area, about what makes it unique and what creates a sense of place. This includes aspects such as the character of the communities within Denbighshire, the quality and variety of the built and natural environment, the use of the Welsh language and the culture of the area.

Key aspects include the promotion and maintenance of the distinct identities of Denbighshire's towns, villages and landscapes. This can be assisted via the Local Development Plan through the encouragement of sustainable design that reflects local distinctiveness and seeks to protect and enhance the historic environment.

Development boundaries as shown on the proposals maps are basic planning tools which define clear physical limits to developed areas. Development boundaries have been drawn to allow for an appropriate level of development for each settlement and to follow clearly identifiable features.

Within development boundaries, new development will, in principle, be supported provided that it meets the criteria of other policies in the Local Development Plan and material planning considerations. This assists in working towards a sustainable pattern of development by directing most development to existing settlements thereby making the most effective use of existing infrastructure, facilities and services and reducing the need to travel. Local distinctiveness is reinforced by maintaining traditional settlement patterns across the County.

Local distinctiveness is reinforced by maintaining traditional settlement patterns and protecting landscapes and open spaces across the County. Protecting the County's distinctive natural elements is also considered under the theme 'Valuing our Environment' covered in a later chapter.

Policy RD 1 - Sustainable development and good standard design

Development proposals will be supported within development boundaries provided that all the following criteria are met:

- i) Respects the site and surroundings in terms of the siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings; and**
- ii) Makes most efficient use of land by achieving densities of a minimum of 35 dwellings per hectare for residential development (unless there are local circumstances that dictate a lower density).**
- iii) Protects and where possible enhances the local natural and historic environment; and**
- iv) Does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; and**

- v) Incorporates existing landscape or other features, takes account of site contours and changes in levels and prominent skylines; and
- vi) Does not unacceptably affect the amenity of local residents, other land and property users or characteristics of the locality by virtue of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution etc., and provides satisfactory amenity standards itself; and
- vii) Provides safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles together with adequate parking, services and manoeuvring space. Proposals should also consider impacts on the wider Rights of Way network surrounding the site; and
- viii) Does not have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and incorporates traffic management/calming measures where necessary and appropriate. A transport assessment and travel plan will be required where appropriate; and
- ix) Has regard to the adequacy of existing public facilities and services; and
- x) Does not prejudice land or buildings safeguarded for other uses, or impair the development and use of adjoining land; and
- xi) Satisfies physical or natural environmental considerations relating to land stability, drainage and liability to flooding, water supply and water abstraction from natural watercourse; and
- xii) Takes account of personal and community safety and security in the design and layout of development and public/private spaces and has regard to implications for crime and disorder; and
- xiii) Incorporates suitable landscaping measures, including where appropriate hard and soft landscaping treatment, the creation and/or protection of green and blue corridors, mature landscaping, and arrangements for subsequent maintenance. Landscaping should create a visually pleasant, sustainable and biodiversity rich environment that protects and enhances existing landscape features and also creates new features and areas of open space that reflect local character and sense of place; and
- xiv) Has regard to the generation, treatment and disposal of waste.

National Policy Links

Planning Policy Wales:

Chapter 4 – Planning for Sustainable Development

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Chapter 6 – Conserving the Historic Environment

Chapter 8 – Transport

Chapter 12 – Infrastructure and Services

Chapter 13 – Minimising and Managing Environmental Risks and Pollution

Technical Advice Notes:

TAN 11 - Noise

TAN 12 – Design

TAN 22 – Sustainable Building

Justification

It is an aspiration of the Council to raise the standard of design in all proposals. Good design is a key element in sustainable development and the LDP will promote high standards of design in terms of built development, including the standard of architecture, and in securing the best environment through landscape design.

All new developments must enhance and respect their surroundings and contribute towards the local identity. Developments must be of the appropriate scale, design and materials for their location and conform to the general principles set out above. In the interests of achieving more sustainable forms of development, and reducing the use of greenfield land, new residential development will be expected to achieve the minimum densities set out in the policy. Higher densities will be sought in more sustainable locations where there is range of services/facilities and good transport links (including public transport provision).

The Local Development Plan will seek to ensure that development in the County enhances and protects its local distinctiveness and visual quality and enhances quality of life. At the level of individual developments the Local Development Plan will promote sustainable construction, principles of the 'energy hierarchy' and inclusive design for the lifetime of the development.

In addition, achieving safe designs and improving community safety will be an important consideration, requiring liaison with community and local authority partnerships.

Further guidance will be provided in Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

Objective 14: Design

Objective 16: Areas of Protection

Policy RD 2 – Green Barriers

In order to reinforce the separation of neighbouring settlements, and to preserve the character of historic towns, a number of Green Barriers have been designated, as shown on the Proposals Map. Within Green Barriers, development will only be permitted provided that the open character and appearance of the land is not prejudiced.

Designated Green Barriers

Prestatyn – Rhyl

Prestatyn – Gronant

Prestatyn – Meliden

Rhyl – Rhuddlan

Meliden - Dyserth

Trefnant – Clwydian Park

Denbigh – South

Ruthin – South

National Policy Links

Planning Policy Wales:

Chapter 4 – Planning for Sustainability

Justification

Green Barriers play an important role in the Local Development Plan strategy within which the need for development is balanced against the need to protect the countryside. Land within Green Barriers is open in character and appearance and serves to distinguish the separate identity of settlements or preserve their historic character.

This policy will contribute to meeting Objective(s):

16: Areas of Protection

Policy RD 3 – Extensions and alterations to dwellings

The extension or alteration of existing dwellings will be supported provided that the following criteria are met:

- i) the scale and form of the proposed alteration or extension is subordinate to the original dwelling, or the dwelling as it was 20 years before the planning application to extend the dwelling is made; and**
- ii) the proposal is sympathetic in design, scale, massing and materials to the character and appearance of the existing building; and**
- iii) the proposal does not represent an over development of the site.**

National Policy Links:

Planning Policy Wales:

Chapter 4 – Planning for Sustainability

Chapter 9 – Housing

Technical Advice Notes:

TAN 12 - Design

Justification

This policy seeks to ensure that extensions to dwellings are designed to complement and/or enhance the existing property and the surrounding area. Extensions which are out of character or would not be subordinate to the original dwelling will not be permitted. Original in this respect is defined as the dwelling as first built or, if it is more than 20 years old, as it was 20 years before any application is made. Twenty years is considered sufficient to take account of the differing needs of households between generations.

Supplementary planning guidance will be produced to complement this policy.

This policy will contribute to meeting Objective(s):
Objective 14: Design

Policy RD 4 – Replacement of Existing Dwellings

Proposals for the replacement of an existing dwelling outside settlement boundaries will only be supported where it can be demonstrated that:

- i) the building has legal use rights as a dwelling; and**
- ii) the dwelling is not of local historical importance or makes a valuable contribution to the character of an area; and**
- iii) the dwelling is structurally unsound, of a poor design and inefficient in terms of energy and water.**

Planning permission for a replacement dwelling may be subject to a condition to ensure that the original dwelling, or outbuildings, is demolished and that permitted development rights are removed.

National Policy Links:

Planning Policy Wales:

Chapter 4 – Planning for Sustainability
Chapter 9 – Housing

Technical Advice Notes:

TAN12 – Design

Justification

Applications for the erection of a new dwelling on the site of a former dwelling in the open countryside will be treated as an application for the erection of a new dwelling. However, there may be occasions when an existing dwelling in the open countryside is either inappropriately sited or is deficient in facilities.

In order to qualify for consideration for a replacement dwelling, a dwelling should have a lawful existing residential use right as defined by Town and Country Planning Act 1990. Dwellings which were never intended to have a permanent residential use including chalets, caravans and other structures built of materials for only temporary or seasonal use, will be excluded from this policy. Where there is doubt, the Council will request that the applicant present a certificate of lawfulness for the building. The Council is committed to retaining buildings of character or merit in the countryside.

This policy will contribute to meeting Objective(s):
Objective 14: Design

Policy RD 5 - The Welsh language and the social and cultural fabric of communities

In determining all planning applications, the needs and interests of the Welsh language will be taken into account. Development could be refused if its size, scale or location would cause significant harm to the character and language balance of a community.

To be able to make an informed decision on applications that may have an effect on the future of the Welsh language within communities, applicants will normally be expected to submit a:

- i) **Community Linguistic Statement to accompany a planning application for smaller developments within villages, hamlets or the open countryside comprising proposals of the following kind: 5 residential units or more, commercial, industrial or leisure/tourism development with a floor area of 1000m² or more, development likely to lead to the loss of community facilities or employment opportunities, infrastructure projects with long term community impacts;**
- ii) **More detailed assessment in the form of a “Community and Linguistic Impact Assessment” to accompany a planning application in all settlements where developments are on a larger scale comprising proposals of the following kind: 20 residential units or more, commercial, industrial or leisure/tourism development with a floor area of 3000m² or more, large scale infrastructure projects with long term community impacts.**

Developers will be expected to provide bilingual signage as a minimum means of promoting the Welsh language. In appropriate circumstances, mitigation against any adverse effect will be secured through requiring a financial contribution by Section 106 or other means.

National Policy Links

Planning Policy Wales:

Chapter 4 – Planning for Sustainable Development

Chapter 12 – Infrastructure and Services

Technical Advice Notes:

TAN 20 – The Welsh Language

Justification

Over the past decade there has been a small increase in Welsh speakers in the more urban areas of the County. At the same time the percentage of Welsh speakers in some of communities has decreased in line with national trends. The Local Development Plan seeks to retain the County’s bilingual distinctiveness and the policy will apply to the whole of the County. The scale of development will determine the likely impact on community life and smaller settlements have a lower threshold of development. In the higher tier settlements such as the lower growth

towns, the policy will only apply to larger proposals. Guidance has been taken from “Planning and the Welsh Language: The Way Ahead” (2005). Policy RD 5 outlines the necessary requirement to ensure development does not harm the sociological – linguistic nature of our communities.

Detailed advice regarding the preparation of Community Linguistic Statements and Community and Linguistic Impact Assessments will be included in Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

Objective 7: Welsh language

Theme: Building Sustainable Communities

Building sustainable communities is concerned with the provision of housing and employment opportunities along with regeneration, tackling deprivation and adapting to climate change.

Housing is one of the key factors that influence people's health and well being. Providing opportunities for the right scale and mix of housing to meet the needs of a growing population including the provision of safe and affordable housing are key considerations for the Local Development Plan.

Area of significant housing growth in the Local Development Plan have been linked to accessible locations which take account of environmental constraints and the opportunities for the sustainable development of communities. In the rural areas, levels of development have been allocated to support and sustain rural communities and services.

Policy BSC 1 - Growth Strategy for Denbighshire

New housing within the County will be required to meet the needs of local communities and to meet projected population changes. In order to meet these needs the Local Development Plan makes provision for approximately 7,500 new homes to 2021. Developers will be expected to provide a range of house sizes, types and tenure to reflect local need and demand and the results of the Local Housing Market Assessment.

National Policy Links

Planning Policy Wales:

Chapter 9 – Housing

Technical Advice Notes:

TAN 1 – Joint Housing Land Availability Studies

TAN 2 – Planning & Affordable Housing

TAN 6 – Planning for Sustainable Rural Communities

Justification

New development will broadly be distributed as follows, numbers shown in relation to existing sites demonstrates number of undeveloped units remaining on site correct as of 1st April 2012:

Site	New Housing Allocation
Bodelwyddan Key Strategic Site	1,715

Existing sites	Units remaining
Parc Castell	4

A key strategic site has been identified at Bodelwyddan in line with the Local Development Plan Strategy and is shown on the proposals map. This is a mixed use site combining housing, employment opportunities, community facilities and open space in a sustainable new community. The Bodelwyddan Key Strategic Site lies within both the 'Hub' identified within the Wales Spatial Plan and the North Wales Coast Strategic Regeneration Area announced by Welsh Assembly Government in 2008. A Development Brief and detailed Masterplan will be produced for this site in consultation with local residents and key stakeholders. It is anticipated that 1,000 dwellings will be delivered within the Plan period to 2021.

Lower Growth Towns

The table below sets out the contribution from new allocations and existing commitmentsⁱ in the Lower Growth Towns.

Town	Site	Housing Numbers
Rhyl		
	Land off Trellewelyn Road / Bro Deg	100
	Corner of Sydenham Avenue and West Parade	12
	Northgate School	22
	Russell Road	15
	Westbourne Avenue	16
	Ocean Plaza	230
	Rhyl South East	242
	Victoria Road	13
	Former Nursery, Rhuddlan Road	15
	85 90 West Parade	20
	Brookdale Road	18
	Grange Hotel	20
		723
Prestatyn/Meliden		
	Midnant Farmstead	65
	Rear of Maes Meurig, Meliden	30
	Rear of Ffordd Hendre, Meliden	154
	Plas Diva Caravan Park	30
	Cefn y Gwrych	18
	Tip Lane	21
		318
St Asaph		
	Land at HM Stanley Hospital	75
	Additional land at HM Stanley	201

	Land off The Paddock	16
	Land off Bryn Gobaith	39
	Bishop's Walk	10
	Bronwylfa Nurseries	9
	St Winifred's School	21
		371
Denbigh		
	Land at Lodge Farm	25
	Land adj Ysgol Heulfre	99
	Land between old and new Ruthin Road	73
	Land off Eglwys Wen	101
	Bryn Stanley	25
	Autoworld Garage, Smithfield Road	6
	Smithfield Garage	12
		341
Ruthin		
	Glasdir Phase 2	167
	Land adj Maes Hafod and Llys Famau	69
	Glasdir Phase 1	118
		354
Corwen		
	Council depot, Clawdd Poncen	128
	Adj Ysgol Caer Drewyn	89
		217
Llangollen		
	Land at Wern Road	4
	Adj. Trem y Gwernant	14
	Vicarage Road	47
	Rear of Castle View and The Hollies	41
	Old Berwyn Works	24
		130
Rhuddlan		
	Land adj Hafod y Gan and Ysgol Tir Morfa	121
	Maes y Castell	21
	Land off Rhyl Road	10
		152
Total		2,606

The lower growth towns will provide for housing and employment needs primarily to meet local demand. Allocated housing and employment sites are shown on the proposals maps.

Villages

The following settlements have been defined as Villages for the purposes of the Local Development Plan. Collectively the villages are expected to contribute around 900 new dwellings over the Local Development Plan period to meet local needs. All villages have defined development boundaries to control the amount of potential development. Where sites capable of accommodating around 10 or more units have been identified; these are shown as housing allocations on the proposals maps.

The table below shows existing commitments as of 1st April 2012 and new allocations in villages.

Village	Site(s)	Housing Numbers
Betws Gwerfil Goch	No sites identified	0
Bodfari	Car Park Dinorben Arms	14
	Land Rear of Bryn Orme	15
	Ffynnon y Chwarel	2
	Land at side of 16 Maes y Graig	8
Bryneglwys	Trem y Foel	12
	Land Rear of Bryn Awel	10
Cadole	No sites identified	0
Carrog	Land adj cemetery	12
	Land adj Maes Sidan	15
Clawddnewydd	Land adj Crud yr Awel	10
	Land rear of Paradwys	10
Clocaenog	Nant y Celyn	8
Cyffylliog	Land to rear of Lllys Heulog	5
Cynwyd	Maes Glyndwr	16
	Land adj Bryn Gwynt	15
Dyserth	Land adj Glan Ffyddion Estate	99
Eryrys	Gwalia House	17
	Canol y Cae (2 sites)	10
Gellifor	Land at Peniarth	10
Glyndyfrdwy	Land rear of New Inn Terrace	30
Graigfechan	Land South of Tan y Graig	10
Gwyddelwern	Bryn Llan	12
	Rear of Beuno Terrace	12
	South of School	24
Henllan	Henllan Centre	30
	Ty Coch	15
Llanarmon yn Ial	South of Cam yr Alyn	12
	Land rear of Maes	34

	Garmon Estate	
Llanbedr Dyffryn Clwyd	Adj Troed y Fenlli	10
	Rear of Llwyn Derw	10
	Between The Rectory and Brakendene	3
	Land to the north west of Maes Derwen	18
	Land adj to the Old Rectory	29
Llandegla	No sites identified	0
Llandrillo	Rear of Bodowen	20
Llandyrnog	Adj Maes Llan	25
Llanfair Dyffryn Clwyd	Vicarage Field	25
	Land Rear of Bron y Clwyd	20
	Land to rear of crossroads and Bron y Clwyd	39
Llanferres	Rectory Lane`	4
	Rear of Bod Eryl	10
Meliden	See table above	0
Nantglyn	No sites identified	0
Pentre Llanrhaeadr	Land rear of Maeshwylfa	10
	Land rear of Dolwar	15
	Land adj to Dolwar	8
Pwllglas	Land south of A494	15
	Land at Minffordd	20
Rhewl (near Ruthin)	Hafod Ynys	20
	Land Rear of Rhyd y Byll	20
Rhuallt	Rear of Dyffryn Teg	13
	Land west of Dyffryn Teg	12
	Land south of Dyffryn Teg	19
Trefnant	Land Adjacent Maes Gruffydd	15
	Land rear of Maes yr Erwain	25
	Bryn Glas Hotel	16
Tremeirchion	Land rear of Llys y Twysog	10
		898

Expected contribution from new allocations and existing commitments in villages = 919

Hamlets

Hamlets have been allocated a quota of development over the Plan period to allow for growth appropriate to their size and the need for local connections affordable housing in the settlement. Detailed policy and guidance relating to local connections affordable housing is set out in Policy BSC 6 and forthcoming Supplementary Planning Guidance – Affordable Housing.

This policy will contribute to meeting Objective(s):

1: Population and Community

Policy BSC 2 - Brownfield development priority

Development proposals in Lower Growth Towns, Llangollen, Rhuddlan and villages with development boundaries as defined in the inset maps will be directed towards previously developed land, except where greenfield land is allocated for development in the Plan.

National Policy Links

Planning Policy Wales:

Chapter 4 – Planning for Sustainability

Justification

Physical constraints, areas protected by international or national legislation, and an increase in flood risk limit the amount of land available for future development or particular types of use. In Lower Growth Towns there are previously developed, i.e. brownfield, or derelict sites that have the potential to become new residential or employment areas, industrial heritage sites or public open space for local communities. The Local Development Plan aims to minimise the pressure to develop further greenfield sites and the spreading of new development into the open countryside by regenerating previously developed sites.

Three sites are allocated under policy BSC2, as shown on the Local Development Plan proposals maps: Prestatyn (former gas works), Rhyl (former Ocean Plaza site) and Rhuddlan ('Rhuddlan Triangle'). They have the potential to contribute towards sustainable town regeneration and economic growth through their particular location, size and types of possible developments. Development briefs will be required for these sites setting out the preferred mix of uses and issues that need to be covered including access, design and phasing.

In Rhyl, brownfield land makes a significant contribution to the County-wide total. It is considered important to emphasise redevelopment of these sites, where possible, in line with wider objectives for regeneration in the North Wales Coast Strategic Regeneration Area.

It is recognised by the Council that not all previously developed sites are suitable for every proposal, for example due to flood risk or the possibility of contamination. Their appropriateness and (economic) viability must be assessed with the help of

individual site characteristics and the potential to maintain or improve biodiversity value.

This policy will contribute to meeting Objective(s):

- 1: Population and Community
- 13: Mixed Use Development
- 16: Areas of Protection

Policy BSC 3 – Securing Infrastructure Contributions from Development

Where relevant, development will be expected to contribute to the provision of infrastructure to meet the additional social, economic, physical and/or environmental infrastructure requirements arising from the development. The Council's priorities, which will vary depending on the nature and location of development, are:-

- i) affordable housing (in accordance with Policy BSC4);
- ii) recreation and open space (in accordance with Policy BSC11);
- iii) sustainable transport facilities (in accordance with Policy ASA2);
- iv) regeneration (in accordance with Policy PSE1);
- v) Council priorities current at the time of application in line with other issues identified in the Local Development Plan, or by the local community.

National Policy Links

Planning Policy Wales:

Chapter 12 – Infrastructure and Services.

Technical Advice Notes:

- TAN 2 – Planning & Affordable Housing
- TAN 8 – Renewable Energy
- TAN 12 – Design
- TAN 15 – Development and Flood Risk
- TAN 16 – Sport, Recreation and Open Space
- TAN 18 – Transport
- TAN 20 – The Welsh Language

Other Guidance

Circular 13/97 Planning Obligations

Community Infrastructure Levy Regulations 2010

Justification

Measures to mitigate the impact of development will be identified at the planning application stage through consultation. Requirements will be fairly and reasonably related in scale to the development and its resulting impact. The tests set out in Circular 13/97 and the Community Infrastructure Levy Regulations 2010 will be used to determine when it would be appropriate to seek planning obligations. Where large sites are to be developed in phases the needs generated by the whole site will be assessed and used as the basis for seeking mitigation. This is necessary to secure the provision of all necessary works and services and to

ensure that the necessary requirements or contributions are divided fairly. Where appropriate, contributions may be index linked or determined in detail at set trigger dates to reflect increases/decreases in development costs and values (viability) between the date the agreement is signed and the actual delivery.

The Community Infrastructure Levy introduces a tariff-based approach to the delivery of infrastructure and after April 2014 the ability to secure infrastructure through Section 106 agreements will be limited. The methods used to secure necessary infrastructure will, therefore, vary and will include planning obligations (S106 agreements) and/or Community Infrastructure Levy payments (if a charging schedule is adopted).

Before a Community Infrastructure Levy Charging Schedule is adopted and for proposals or infrastructure not affected by the Community Infrastructure Levy Regulations 2010 the method used for securing mitigation will normally be a S106 agreement. In appropriate cases payments may be pooled.

All criteria will be subject to amendment following a review of the Council's Priorities or following introduction of the Community Infrastructure Levy.

Monitoring will ensure that contributions are being secured through this policy. Detailed guidance will be provided through Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

12: Infrastructure

Policy BSC 4 – Affordable Housing

Approximately 2,250-3,000 affordable homes will be provided over the plan period.

All developments of 3 or more residential units are expected to provide a minimum of 10% affordable housing either on site on developments of 10 or more residential units or by way of a financial contribution on developments of less than 10 residential units.

Sales prices will be monitored through the Annual Monitoring Report and should sale prices increase 10% above the 2009 sale price data as indicated in the DVS Affordable Housing Viability Study (2009) all residential developments of 3 or more units will be expected to provide a minimum of 30% affordable housing on site. Once sale prices increase to 20% above the 2009 sale price data as indicated in the DVS Affordable Housing Viability Study (2009) developments of less than 3 dwellings will be expected to make a financial contribution to the provision of affordable housing.

All homes permitted through Policies BSC 6, BSC 8, BSC 9 and PSE 4 will be affordable housing for local needs.

In recognition of differing characteristics throughout the County, negotiations to determine the actual provision of affordable housing will be based on factors outlined in the Council's Affordable Housing Supplementary Planning Guidance.

In the interests of creating and maintaining sustainable mixed communities, proposals for 100% affordable housing sites will only be considered on sites of 10 units or less.

National Policy links

Planning Policy Wales :

Chapter 9 – Housing.

Technical Advice Notes

TAN 2 – Planning & Affordable Housing

TAN 6 – Planning for Sustainable Rural Communities

Justification

The North East Wales Local Housing Market Assessment (2008) quantifies the affordable housing need in Denbighshire as 3,761 dwellings. The Update of Housing Need, Demand and Affordability in the Local Housing Market Areas of Denbighshire (2011) subsequently identifies an equivalent figure as 2,916. This figure will be subject to review and update.

The usual method of securing affordable housing is through negotiation with the developer to provide affordable dwellings as an element of market housing development. An element of affordable housing will also be provided through conversion or redevelopment of existing buildings as well as new build housing schemes. All affordable housing secured through the planning system will be subject to a legal agreement ensuring that the level of affordability is maintained in perpetuity and that such homes will be available only to meet local housing needs.

This table identifies the expected contributions the different policy approaches will make in addition to provision through direct intervention through, for example, the Empty Homes initiative:

Source of affordable homes	Number of units that could be achieved
Bodelwyddan KSS (Policy BSC5)	114
Other allocations (Policy BSC4)	190
Urban potential, small sites & conversions (Policies BSC4, BSC9 & PSE4))	160
Provision since 2006	426
Units with planning permission	229*
Total	1,119
Number of units provided through other sources	755
Overall Total	1,874

* March 31 2012

Detailed guidance on the provision of affordable housing will be provided through Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):
1: Population and Community

Policy BSC 5 – Key Strategic Site – Bodelwyddan

Land at Bodelwyddan has been identified as a Key Strategic Site as shown on the proposals map, as part of the Preferred Strategy of the Local Development Plan and in order to meet the acknowledged development needs of the north of the County. The site is intended to be an exemplar site in terms of sustainability and high quality design.

Development will be phased over the plan period and should incorporate all the following key elements:

- **1,715 dwellings including the provision of affordable housing in accordance with Policy BSC4; and**
- **education, training and health provision; and**
- **26 hectares of B1, B2 & B8 serviced employment land and units; and**
- **new highway network between the existing A55 Junction 26 and Sarn Road and other offsite improvements; and**
- **onsite community facilities, open space, retail provision; and**
- **safeguarding and enhancement of any areas / species of nature conservation importance; and**
- **pedestrian and cycle facilities to serve connectivity between homes and jobs, including the surrounding Rights Of Way network; and**
- **new public transport links; and**
- **sustainable building materials, energy efficient and water efficient measures and aspire to be carbon neutral; and**
- **consideration as to the potential impacts on the linguistic, cultural and social character of the area; and**
- **integration of the development into the landscape based on the findings of a robust landscape framework.**

A development brief and detailed masterplan will be required to be produced in consultation key stakeholders and the local community before a decision is made on a planning application.

National Policy links

Planning Policy Wales :

Chapter 4 – Planning for Sustainability
Chapter 7 – Economic Development
Chapter 9 – Housing
Chapter 12 – Infrastructure and Services

Technical Advice Notes:

TAN 2 – Planning & Affordable Housing
TAN 12 - Design

Justification

The Wales Spatial Plan, North East Wales Area, identifies a hub between the towns on the Denbighshire coast and St. Asaph. The hub provides a focus for future employment, housing and retail and provides continued support and opportunity for growth and regeneration for a wider area.

The site also lies within the North Wales Coast Strategic Regeneration Area. The employment allocation at Bodelwyddan will assist in the regeneration of Rhyl and improved linkages between the two settlements will enhance the sustainability of them both.

The site is in close proximity to the County boundary with Conwy County Borough this lends itself to collaboration work in terms of identifying need for affordable housing, education and employment provision. Whilst a development of this size brings change to the existing residents of Bodelwyddan the Council identifies a number of opportunities in site masterplanning to address the strategic County issues such as housing needs, and building on the economic success of the St Asaph Business Park and local colleges. In environmental terms some real opportunities for enhancement exist. Bringing forward a strategic mixed development is likely to have a host of other benefits such as, greater opportunity to promote sustainable development principles, reduced reliance on the private car and a mixed sustainable community. In addition to the delivery of serviced employment sites development could provide various community benefits such as funding of school places, transport improvements, affordable housing and extra care housing.

Building a sense of place through high quality design is key and masterplanning the infrastructure requirements to reduce water demand and increase renewable energy generation is integral to the design.

A development brief and detailed masterplan will be required to be produced in consultation with key stakeholders and the local community before a decision is made on a planning application.

This policy will contribute to meeting Objective(s):

- 1: Population and Community
- 2: Economy and Jobs
- 6: Transport

- 12: Infrastructure
- 13: Mixed Use Development

Policy BSC 6 - Local connections affordable housing in hamlets

Local connections affordable housing will be permitted in the hamlets listed below, provided that all the following criteria are met:

- i) the proposal would provide an affordable dwelling to meet local needs; and,**
- ii) the proposals would help to secure the viability of the local community, and strengthen the community and linguistic character; and,**
- iii) new housing is located within the defined area of search of the hamlet and overall growth levels restricted to that indicated below; and,**
- iv) the proposal is in keeping with traditional building styles and is sympathetic in design, scale and materials to other traditional buildings in the locality; and,**
- v) satisfactory arrangements are made to ensure the dwelling is retained in perpetuity as an affordable dwelling for local need and this is contained in a Section 106 agreement.**

The hamlets included in the policy are listed below and shown on the proposals maps – the figure in the second column denotes the number of dwellings that will be permitted in each settlement over the Plan period.

National Policy links

Planning Policy Wales :

Chapter 4 – Planning for Sustainability
Chapter 9 – Housing.

Technical Advice Notes

TAN 2 – Planning & Affordable Housing
TAN 6 – Planning for Sustainable Rural Communities
TAN 12 – Design

Justification

New dwellings in the hamlets will be restricted to affordable housing only in order to meet local affordable housing need. An applicant must have a strong local connection with the Community Council area in accordance with the Council's Local Connections Policy, as stipulated in the Supplementary Planning Guidance on Affordable Housing.

Applicants will not necessarily need to be registered on any housing waiting list but must:

1. not be able to afford to purchase a suitable property for their needs on the open market, and

2. not own a property already, unless a larger or smaller house is required to meet the needs of the household and they are not able to afford to purchase a suitable property on the open market or they wish to move because of relationship and family breakdown, or are unable to meet monthly payments on their existing property, and
3. be subject to a financial appraisal which proves a genuine need for an affordable dwelling in the hamlet. This appraisal will be based on the specific needs criteria for hamlets as set out in the Council's Supplementary Planning Guidance on Affordable Housing.

The assessment of need and eligibility will be undertaken by a responsible body (ie a Registered Social Landlord) in accordance with the details set out in the Council's Supplementary Planning Guidance on Affordable Housing.

This policy applies to all new residential development proposals within the hamlet including conversions and infill.

Settlement	No. Dwellings To Be Permitted Over LDP Plan Period
Abbey Terrace (Llangollen)	3
Aberwheeler	4
Bontuchel	2
Cefn Mairwen	3
Cwm	2
Derwen	5
Graianrhyd	3
Groesffordd Marli (inc Cae Onnen)	4
Hendrerwydd	2
Hirwaen	2
Llanelidan	4
Llangynhafal	2
Llanrhaeadr yng Nghinmeirch	6
Llanrhydd	1
Llanynys	4
Loggerheads	1
Maeshafn	2
Marian Cwm	2
Melin-y-Wig	4
Pant Pastynog	1
Peniel	1
Pentre Saron	1

Pentrecelyn	2
Pentredwr	12
Prion	3
Tafarn Y Gelyn	3
Y Green	13
Total	92

This policy will contribute to meeting Objectives:

1: Population and Community

Policy BSC 7 – Houses in Multiple Occupation & Self-Contained Flats

Proposals which would lead to the creation of Houses in Multiple Occupation or non self-contained flats will not be permitted.

The sub-division of existing premises to self-contained flats will be permitted provided that all the following criteria are met:

- i) the property is suitable for conversion to the number and type of flats proposed without unacceptably affecting the character, appearance and amenity standards of the locality (including cumulative effects of such proposals); and**
- ii) the proposal conforms to the Council’s approved space and amenity standards.**

National Policy links

Planning Policy Wales:

Chapter 9 – Housing.

Technical Advice Notes:

TAN 12 – Design

Justification

Self-contained flats can help to address the needs of those wanting to purchase or rent small units of accommodation, as well as providing a relatively affordable housing option for those wishing to purchase their first property. Whilst the creation of such flats helps to meet housing need, in some instances their provision can be detrimental to the amenity of existing residential areas. In addition, areas with high levels of flats are often associated with low levels of owner occupation which in some instances can lead to lower standards of maintenance and associated environmental degradation issues. Furthermore, the cumulative impact of converting larger dwellings to flats can have a detrimental impact on creating mixed and balanced communities by reducing the number of

family homes available within an area. It is therefore important that the development of such dwellings is strictly controlled.

There is a high concentration of Houses in Multiple Occupation and small flats (both self-contained and non self-contained) in several areas of the county, particularly in the coastal towns, which has had an adverse impact upon the surrounding area and living conditions of some occupants. In order to support national and local regeneration aims, as well as other adopted council policy, further developments of this type will not be allowed anywhere in Denbighshire.

Further guidance on space and amenity standards will be set out in Supplementary Planning Guidance.

This policy will contribute to meeting objectives:

14: Design.

Policy BSC 8 – Rural Exception Sites

Affordable housing development will be supported as an exception to normal policy provided it meets all the following criteria:

- i) evidence must be produced to demonstrate that allocated sites are not likely to come forward within 5 years. The greater the need for affordable housing demonstrated for the settlement the more likely an exception site would be permitted ahead of an allocated site; and**
- ii) the proposal adjoins and forms a logical extension to the development boundary whilst avoiding ribbon and fragmented patterns of development; and**
- iii) evidence exists in the form of a local housing needs survey that there is a genuine demonstrable need for such accommodation; and**
- iv) the proposal would not form an intrusive feature in the landscape or create traffic or access problems; and**
- v) the siting, layout, scale, design, density and materials of the proposal are sympathetic and appropriate to the size and character of the settlement and also reflect the level of local need identified; and**
- vi) satisfactory arrangements can be made to ensure that the dwellings are retained as affordable housing for local needs in perpetuity.**

In the interests of creating and maintaining sustainable mixed communities, proposals will only be considered for sites of 10 units or less.

National Policy links

Planning Policy Wales:

Chapter 4 – Planning for Sustainability

Chapter 9 – Housing.

Technical Advice Notes:

TAN 2 – Planning & Affordable Housing

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

Justification

The Local Development Plan aims to make provision for a range of housing needs and in particular for affordable housing. National Planning Policy allows special provision to release housing sites in rural areas adjoining development boundaries for the provision of affordable housing to meet local needs.

This policy does not relate to either Bodelwyddan or any of the designated Lower Growth Towns, as it is considered that these areas already have an adequate supply of potential housing land through either brown field redevelopment sites or green field allocations. In rural areas opportunities are reduced and therefore in exceptional circumstances, rural exceptions sites will be considered.

Exceptions sites will be considered adjacent to villages where allocated sites exist within the development boundary but have not been brought forward. Evidence must be produced to demonstrate that any allocated sites are not likely to come forward. Affordable housing will still be required on allocated and windfall sites within the development boundary in line with policy BSC 4 Affordable Housing as need is constantly arising and to avoid land owners not bringing land forward until they feel that there will be no affordable housing requirement.

New housing in these locations will be restricted to affordable housing to meet local need. An applicant must have a connection with the Community Council area in accordance with the Council's Local Connections Policy, as stipulated in the Supplementary Planning Guidance on Affordable Housing.

Applicants will not necessarily need to be registered on any housing waiting list but must:

1. not be able to afford to purchase a suitable property for their needs on the open market; and
2. not own a property already, unless a larger or smaller house is required to meet the needs of the household and they are not able to afford to purchase a suitable property on the open market or they wish to move because of relationship and family breakdown, or are unable to meet monthly payments on their existing property; and
3. be subject to a financial appraisal which proves a genuine need for an affordable dwelling in the Community Council area. This appraisal will be based on the specific needs criteria for affordable housing as set out in the Council's Supplementary Planning Guidance on Affordable Housing.

The assessment of need and eligibility will be undertaken by a responsible body (i.e. a Registered Social Landlord) in accordance with the details set out in the Council's Supplementary Planning Guidance on Affordable Housing.

This policy will contribute to meeting Objective(s):

1: Population and Community.

Policy BSC 9 - Local Connections Affordable Housing within small groups or clusters

In open countryside, local connections affordable housing development of one or two units will be permitted within small groups or clusters, provided that the proposal meets all the following criteria:

- i) comprises infilling of a small gap between buildings within a continuously developed frontage; and**
- ii) does not result in ribbon development or the perpetuation of existing ribbon development; and**
- iii) is of comparable scale and size to, and is sited so as to respect adjacent properties and the locality; and**
- iv) satisfactory arrangements can be made to ensure that the dwelling(s) are retained in perpetuity as affordable dwelling for local need and this is contained in a Section 106 agreement.**

National Policy links

Planning Policy Wales

Chapter 4 – Planning for Sustainability

Chapter 9 – Housing.

Technical Advice Notes

TAN 2 – Planning & Affordable Housing

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

Justification

Under current national planning policy in rural areas it is acceptable to build new housing within or adjacent to groups or clusters of existing houses. The opportunities to build houses in these locations are generally limited due to the need to reduce travelling. Because of their countryside location, building plots in such locations tend to have a financial premium which often precludes local people from building a home. They are often prevented from buying existing rural properties for the same reason.

Applicants must have a connection with the Community Council area in accordance with the Council's Local Connections Policy, as stipulated in the Supplementary Planning Guidance on Affordable Housing. Applicants will be assessed against the 3 criterion set out in the reasoned justification to Policy BSC8.

To ensure that local people can continue to live in rural areas, new housing in these locations will be restricted to affordable housing to meet local need.

Once the principle of development has been approved the design of the new dwelling(s) should be in compliance with all other development polices.

This policy will contribute to meeting Objective(s):

1: Population and Community

Policy BSC 10 – Gypsy & Traveller Sites

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

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

Sites in other locations will only be permitted where it is demonstrated that sites within or on the outskirts of an established settlement boundaries are not available and all the above criteria are met.

The Council will identify permanent and transit caravan sites for gypsies and travellers should an unmet need be identified for Denbighshire in the emerging North West Wales Local Housing Market Assessment.

National Policy links

Planning Policy Wales:

Chapter 9 – Housing.

WAG Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites

Justification

Welsh Government Circular 30/2007 ('Planning for Gypsy and Traveller Caravan Sites') requires local planning authorities to make provision for gypsy and traveller caravan sites through site allocations, where a need is identified, along with criteria-based policies.

Based upon the Welsh Government biannual gypsy-traveller caravan count and other sources of information identified in the Circular, the Council considers that

there is currently insufficient identified need for the allocation of specific caravan sites within the County. Proposals for sites will therefore be assessed in accordance with the above policy. This policy, and need for site allocations, will be reviewed as part of the Plan Review following completion of the ongoing North West Wales Gypsy-Traveller Accommodation Assessment being completed as part of the North West Wales Local Housing Market Assessment.

This policy will contribute to meeting Objective(s):

1: Population and Community.

Policy BSC 11 – Recreation and Open Space

Existing recreation, public open space, allotments and amenity greenspace will be protected and where possible enhanced.

Development that would result in the loss of public or private land with recreational and/or amenity value will only be permitted where alternative outdoor provision of equivalent or greater community benefit is provided.

- **The County minimum standard of 2.4 hectares per 1,000 population will be applied to all development sites.**
- **Open space should always be provided on site. Commuted sums will only be acceptable where it is demonstrated that development would not be financially viable should the full requirement for open space be provided on site or where it is impractical to provide the full requirement for open space on site.**
- **Where there is no identified shortfall of open space in the local area the Council will, where appropriate, expect developers to make a financial contribution by means of a commuted sum to mitigate the impact of increased usage on the existing open space and equipment in the area.**

Within the Key Strategic Site at Bodelwyddan open space requirements will form an integral part of the Development Brief and Masterplan for the site.

National Policy links

Planning Policy Wales:

Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes:

TAN 16 – Sport, Recreation and Open Space

Justification

The need for new developments to make adequate provision for recreation and open space for the benefit of its residents is well established. Open space can include open space within housing developments, formal sports pitches, allotments and informal natural green and amenity space, National guidance recognises the linkages between opportunities for exercise and people's general health and well-being.

New housing developments place increased demand on existing open space, sport and recreation facilities both formal and informal. The Council expects developers to include the required amount of formal and informal open space within their developments and on site. Commuted sums may be acceptable where it is not feasible to provide open space on site.

Within the Key Strategic Site (See Policy BSC 5) open and recreational space will form part of the master planned development of the site and provision levels will be expected to be higher than the County Standard.

The County Standard has been developed in line with Technical Advice Note 16 – Sport, Recreation and Open Space (2009) which recommends that where there is no comprehensive Open Space Assessment available that it may be appropriate to use the Fields In Trust ‘benchmark’ standards.

FIT Benchmark Standards

Type of Open Space	Standard
Outdoor Sport incl Playing pitches	1.6 Hectares/1,000 Population
Children’s Equipped Playspace	0.25 Hectares/1,000 Population
Children’s Informal Space	0.55 Hectares/1,000 Population
Overall	2.4 Hectares/1,000 Population

This is the approach that has been used in developing the current Local Development Plan policies and standards. It is intended that a comprehensive Open Space Assessment will be completed within the first five years of the Local Development Plan and that the County Standard will be reviewed at this time.

The Council provides over 100 allotment plots in 4 settlements (Llangollen, Ruthin, Denbigh, Prestatyn) in the County and the demand for new and additional plots is increasing. The Council will safeguard these community facilities and the loss of a site will be resisted except where it can be replaced by an equal or better alternative provision. Settlements with identified need for allotments are St. Asaph, Ruthin, Denbigh, Llangollen, Rhyl and Prestatyn (need to find a better site). There is potential to secure new allotment sites for the following settlements through use of Council owned land: Corwen, Gwyddelwern, Henllan, Llandegla, Llandrillo, Rhewl and Rhualt. Funding contributions will be sought, in line with policy BSC 3 – Securing infrastructure contributions in new developments, to deliver new allotment sites.

Supplementary Planning Guidance will be prepared to provide additional guidance on these requirements.

This policy will contribute to meeting Objective(s):

8: Open Space

Policy BSC 12 – Community facilities

Proposals for the provision of community facilities will be supported provided:

- i) they are located within existing development boundaries; or
- ii) outside of development boundaries, but within settlement clusters, the proposal will provide an essential facility to support the community.

The change of use from a community facility could be refused unless it can be shown that the potential for continued use of the facility is un-viable, or unsuitable.

National Policy links

Planning Policy Wales:

Chapter 4 – Planning for Sustainability.

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 - Design

Justification

Access to community facilities is an essential element of sustainable and inclusive communities. Community facilities such as schools, theatres, village halls and places of worship often serve a network of small settlements and are essential to reduce the amount of travelling to reach alternative community facilities. The loss of local facilities will lower community sustainability and this can have a knock on effect on the future well-being of the Welsh language. The Council will support and encourage the retention and improvement of community facilities which provide an essential facility to support the sustainability of Denbighshire's communities. Retention of open space and recreation are considered in Policy BSC 11. Retention of local shops is considered in Policy PSE 10. Retention of employment land and buildings is considered in Policy PSE 3.

Health care provision is also a key facility for communities. The Primary Care Estates Strategy (January 2008) identifies the development of community health care services over the next 10 year period. They have identified that they will be looking for new or improved sites at Rhyl, Corwen, Denbigh, Prestatyn, Rhuddlan, St Asaph, Bodelwyddan and Ruthin.

This policy will contribute to meeting Objective(s):

12: Infrastructure

Theme: Promoting a Sustainable Economy

The policies developed under the theme of Promoting a Sustainable Economy aim to support the local economy in ways that reflect local issues, and in particular reflect local potential. It is important that policies allow for flexibility for the local economy to adapt to climate change.

The Wales Spatial Plan identifies the Rhyl/Prestatyn/Bodelwyddan/St Asaph area as a focus for investment in future employment, housing, retail, leisure and services. In addition the designation of this area as part of a Strategic Regeneration Area provides further emphasis in terms of supporting sustainable employment opportunities. This has been recognised by the Council in the selection of Bodelwyddan as a Key Strategic Site within the Local Development Plan.

Throughout the County there is a wish to support the start up and growth of local businesses. This is an important part of moving towards achieving a more balanced population structure and encouraging the retention of younger, economically active members of the population. Retaining our younger people also has important implications for strengthening the cultural and linguistic character of Denbighshire.

There is an identified need to improve the skills base of the County and the Local Development Plan looks to support developments in this sector both within Denbighshire and through partnerships with neighbouring areas.

Policies in this section deal with regeneration, rural issues, retail, minerals, visitor and the primary economies.

In line with the Local Development Plan Spatial Strategy the majority of new employment land will be located within the Key Strategic Site - a major mixed development identified under policy BSC 5 at Bodelwyddan, and at the St Asaph Business Park.

Employment land allocations have also been identified in the Lower Growth Towns as shown on the Proposals Maps as follows:

Town	Employment Allocation	(Hectares)
Bodelwyddan	Part of Strategic Site	26
Rhyl	-	0
Prestatyn	-	0
St Asaph	St Asaph Business Park	14
Denbigh	Colomendy North	8
Ruthin	Lon Parcwr	5.5
Corwen	Ty'n Llidiart	6
		59.5

Policy PSE 1 – North Wales Coast Strategic Regeneration Area

In the North Wales Coast Strategic Regeneration Area the Council will support proposals which:

- **retain and develop a mix of employment generating uses in town centres; or**
- **provide new family residential accommodation; or**
- **enable the retention, enhancement and development of tourism related facilities; or**
- **address existing problems of deprivation in a manner which is consistent with the principles of sustainable development.**

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Chapter 7 – Economic Development

Chapter 9 – Housing

Chapter 10 – Planning for Retail and Town Centres

Chapter 12 – Infrastructure and Services

Technical Advice Notes:

TAN 2 – Planning and Affordable Housing

TAN 12 – Design

TAN 13 – Tourism

Justification

The coastal hub area between Prestatyn, Rhyl and Colwyn Bay will benefit from significant additional funding over the next 7-10 years. This area is shown on the key proposals map. The Development Strategy for the North Wales Coast Strategic Regeneration Area seeks to exploit appropriate development opportunities where they exist in the more deprived northern part of the County, in particular Rhyl, with a view to creating a viable future for all of the communities in this area. Supplementary Planning Guidance will be adopted to provide more detailed guidance for regeneration and development proposals within the Strategic Regeneration Area.

Improved accommodation and a need to diversify the housing stock in order to tackle chronic housing conditions, empty homes and the proliferation of Homes in Multiple Occupation is a key land use issue and has links to policy BSC 7– Houses in Multiple Occupation and Self Contained Flats.

Allocating the Key Strategic Site at Bodelwyddan will improve employment opportunities within the regeneration area. New education opportunities, focused training and improvements to the public transport system will open up opportunities for the population of Rhyl to find employment at Bodelwyddan. Regard must be had to policy BSC 5 Key Strategic Site when considering improvements in the Strategic Regeneration Area and vice-versa. A new tourism marketing approach is

proposed for Rhyl with lessons learnt from the Colwyn Bay 'Bay Life' brand. New health facilities delivered in conjunction with the Local Health Board and improvements to community facilities, such as community allotments, are proposed to improve the wellbeing of local residents.

In the past the private sector has shown a reluctance to invest in this part of the county. More recently there have been signs that this is changing but implementation of proposals in this area will still be more dependent on public finance than areas closer to the A55. Low land values and weak demand mean that significant contributions from planning obligations are unlikely in this area.

As this area qualifies for both North Wales Coast Strategic Regeneration Area funding (which is a long term commitment from WAG for the part of the Plan period) and European Convergence Funding (2007- 2013) and is a priority area for investment for the Council, a substantial input of public sector funds is anticipated.

This policy will contribute to meeting Objective(s):

- 1: Population and Community
- 4: Retail
- 12: Infrastructure
- 15: Tourism.

Policy PSE 2 - Land for employment uses

Existing employment sites and new allocations for employment purposes are shown on the Proposals Maps. Within these areas employment development for the following use classes will be supported:

- **B1 Business Use**
- **B2 General Industrial & waste management facilities**
- **B8 Warehousing and Distribution**

Land and premises at the St Asaph Business Park, as shown on the Proposals Map, is safeguarded and allocated as a high quality employment site, where proposals will be supported for:

- **B1 & B2 General Industrial and waste management facilities within the area designated for B1 & B2 uses on the proposals map.**

Hazardous development and development of other land uses in close proximity to existing hazardous developments will only be permitted where there are no unacceptable risks to the public, other land uses or the environment.

National Policy links

Planning Policy Wales:

Chapter 7 – Economic Development

Chapter 12 – Infrastructure and Services

Technical Advice Notes

TAN12 – Design

Justification

Employment areas define where most employment development will take place over the Local Development Plan period and enable the expansion and/or intensification of existing businesses. Employment areas are defined on the proposals maps and include:

- i) existing employment locations;
- ii) land with employment related planning permission;
- iii) undeveloped employment allocations.

Denbighshire has 3 hazardous installations around which are identified Health and Safety Executive consultation zones:

Parcel of land on St Asaph Business Park	St Asaph
DT. Jones and Son	Denbigh
LE Jones Ltd, Lon Gwenydd	Ruthin

These installations carry an element of risk, however small, which may cause a degree of hazard beyond the site itself. The Health and Safety Executive (HSE) have identified consultation zones around each of the installations, within which the HSE must be notified of proposals for development. Where the HSE considers the risk of development is unacceptable they will object to the proposal. In such circumstances planning permission will be refused.

This policy will contribute to meeting Objective(s):

- 2: Economy and Jobs,
- 3: Economy and Jobs,
- 12: Infrastructure.

Policy PSE 3 - Protection of employment land and buildings

Proposals which would result in the loss of employment land or buildings will only be supported provided that:

- i) there are no other suitable sites available for this development; and**
- ii) a continuous marketing process of 1 year, alongside all practical attempts possible to retain the employment use, has demonstrated that the site or premises is no longer capable of providing an acceptable standard of accommodation for employment purposes; and**
- iii) the loss of the site or premises would not prejudice the ability of an area to meet a range of local employment needs or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site.**

National Policy links

Planning Policy Wales:

Chapter 7 – Economic Development,

Technical Advice Notes

TAN12 – Design

Justification

All employment sites are covered by this policy. In some cases, the Council is pressured to allow alternative and higher value land uses on employment sites, which, if uncontrolled, will reduce the scale, range and type of employment land available in Denbighshire.

In addition to allocated employment sites there are a significant number of smaller sites that provide valuable employment premises for local businesses but which are not specifically allocated for employment use. It is important to retain all these types of sites for employment use in order to ensure a range of opportunities are made available in terms of location, type and size of employment land.

Consideration should be given to the impact the closure would have on surrounding employment uses and the local economy.

This policy will contribute to meeting Objective(s):

2: Economy and Jobs

3: Economy and Jobs

Policy PSE 4 – Re-use and adaptation of rural buildings in open countryside

All conversions of rural buildings will be expected to make a positive contribution to the landscape and ensure that any architectural and/or historic features are retained. Proposals for the conversion of rural buildings outside development boundaries for employment use will be supported.

Proposals for the conversion of rural buildings outside development boundaries for residential use will only be permitted where:

- i) an employment use has been demonstrated not to be viable; and**
- ii) the dwelling(s) are affordable to meet local needs.**

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Chapter 7 – Economic Development

Chapter 9 – Housing

Technical Advice Notes:

TAN 2 – Planning & Affordable Housing

TAN 5 – Nature Conservation and Planning

TAN 6 – Planning for Sustainable Rural Communities
TAN 12 – Design

Justification

In line with national guidance re use for employment purposes will be the first priority. Residential re use will only be permitted where it has been shown that an employment use is not viable and where the new dwelling(s) would be affordable to meet local need as set out in the reasoned justification to Policy BSC8.

Old and redundant rural buildings can provide important habitats for wildlife. Care must always be taken when developing such sites to ensure biodiversity interests are protected in line with policy VOE 5 Protecting natural resources: biodiversity/nature conservation.

This policy will contribute to meeting Objective(s):

- 1: Population and Community
- 3: Economy and Jobs

Policy PSE 5 - Rural Economy

In order to help to sustain the rural economy, tourism and commercial development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising the special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

Appropriate employment proposals for both conversions and new build outside of development boundaries will be supported provided the following criteria are met:

- i) the proposal is appropriate in scale and nature to its location; and**
- ii) any suitable existing buildings are converted or re-used in preference to new build; and**
- iii) proposals for new buildings are supported by an appropriate business case which demonstrates that it will support the local economy to help sustain local rural communities; and**
- iv) within the AONB/AOB, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas, take full account of and seek to enhance the nature and distinctive qualities of the local landscape. In line with national policy any proposals that are considered to be detrimental to the quality of the AONB and World Heritage Site will be refused.**

National Policy links

Planning Policy Wales:

- Chapter 5 – Conserving and Improving Natural Heritage and the Coast
- Chapter 7 – Economic Development

Chapter 11 – Tourism, Sport & Recreation

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

TAN 13 – Tourism

Justification

The need to sustain rural employment throughout the County is recognised and relevant considerations relating to sustainability and minimising environmental concerns are identified.

The policy requires the demonstration of a business case for the development, in order to establish the benefits of the scheme in relation to sustaining local employment and the rural economy. The benefits could include provision of local employment opportunities, use of locally sustainable sources for any raw materials, scope to sell local produce, and provision of services to local communities.

Development proposals will have to evaluate their impact to ensure no detriment to the landscape character in accordance with policy RD 1 – Sustainable Development and Good Standard Design.

This policy will contribute to meeting Objective(s):

3: Economy and Jobs

16: Areas of Protection

Retail

Retail can contribute towards the local economy, reduce the need to travel and help maintain cohesive communities. Retail provision within the County is predominantly located within 8 towns, Rhyl, Prestatyn, Rhuddlan, St Asaph, Denbigh, Ruthin, Corwen and Llangollen. The Local Development Plan will seek to reinforce these town centres as the most appropriate location for new retail development. Other uses which attract large numbers of people such as leisure, commercial and community uses will also be encouraged to locate within town centres providing the retail character of the towns are retained.

Policy PSE 6 - Retail economy

Proposals for new retail development will be directed towards defined town centres in the first instance, provided that they are of a scale and type appropriate to the size, character and function of the centre.

The hierarchy of centres in the county is as follows:

Sub Regional Centre: Rhyl

Town Centres: Prestatyn, Denbigh, Ruthin, Llangollen,

District Centres: Rhuddlan, St Asaph, Corwen

National Policy links

Planning Policy Wales:

Chapter 10 – Planning for Retail and Town Centres.

Technical Advice Notes:

TAN 4 – Retailing and Town Centres

TAN 12 – Design

Justification

Planning Policy Wales seeks to avoid new development out of town centres in favour of enhancing town centres. The Local Development Plan will reinforce this through the direction of new retail and services towards the County's main town centres. Existing out of town retail developments, including the Clwyd Retail Park and Tweedmill Factory outlet, provide an important contribution to the County's overall retail offer, however, further expansion is not proposed due to the potential impact on the town centres of Rhyl, Rhuddlan and St Asaph.

Policy PSE 8 addresses other types of development which may be acceptable in town centres such as leisure uses which attract a large number of people, commercial or community uses.

This policy will contribute to meeting Objective(s):

4: Retail.

Policy PSE 7 - Proposals for new retail development

The following allocations for retail are identified on the proposals map:

Rhyl:

High Street/Queen Street area: Predominantly non-food retailing, leisure and commercial offices

Prestatyn:

Town centre redevelopment: Mixture of food & non-food retailing

Denbigh:

Station Yard site: Mixture of food & non-food retailing

Llangollen:

Dobson & Crowther site: food retailing

National Policy links

Planning Policy Wales:

Chapter 10 – Planning for Retail and Town Centres.

Technical Advice Notes:

TAN 4 – Retailing and Town Centres
TAN 12 – Design

Justification

A quantitative need for additional non-food retailing has been identified within the County (Update of the Quantitative Retail Capacity Analysis from the Denbighshire Retail & Leisure Study - Roger Tym & Partners 2006). In order to reinforce Rhyl as a subregional centre, an allocation is made at the Queen Street/West Rhyl Parade area which is being actively promoted by the Council. Proposals should include a mix of uses, comprising predominantly non-food retailing, and with elements of food retailing, leisure and commercial uses.

No additional quantitative need has been identified specifically for Denbigh because of an extant permission. To date, this permission has not been implemented and the Council is concerned that failure to allocate this area within the Local Development Plan could result in the loss of this area for retail, or result in piecemeal development which would jeopardise the Council's regeneration objectives for the town. Proposals include a mixture of non-food and food retailing, including supermarket provision.

Whilst the 2006 retail study identified a qualitative need for supermarket provision in Corwen and St Asaph, no allocations have been made. No suitable town centre sites have been identified in the towns and it is felt that out of town supermarket provision would negatively impact on the viability and vitality of the towns. Furthermore, St Asaph suffers from congestion problems which it is considered would be exacerbated by the development of a supermarket within the town. Proposals for retail development will be considered using policies PSE 8 - Development within town centres and PSE 9 – Out of town centre retail development.

This policy will contribute to meeting Objective(s):

- 4: Retail
- 5: Transport.

Policy PSE 8 - Development within town centres

Development proposals within town centres defined on the proposals maps will be permitted provided that all of the following criteria are met:

- i) **they enhance the vitality and viability of the town centre and**
- ii) **they do not result in an unacceptable imbalance of retail and non retail uses**
- iii) **within the primary shopping frontage of Rhyl the change of use of ground floor retail premises (A1 shops) to any other use class will be resisted.**

National Policy links

Planning Policy Wales:

Chapter 10 – Planning for Retail and Town Centres.

Technical Advice Notes:

TAN 4 – Retailing and Town Centres

TAN 12 – Design

Justification

Appropriate retail provision across the County is essential. It can help ensure the vitality of rural communities by acting as a central meeting place, a regeneration catalyst in deprived areas, enhance the economy, and help reduce the need for private transport.

Town centres may appropriately accommodate non-retail uses; however, it is essential that the primary function of the town centre is not eroded by incremental development. Towns across the County perform a variety of different roles which will be supported through the Local Development Plan. Proposals for non retail uses such as financial institutions, leisure uses, offices and proposals that relate to the night time economy (e.g. pubs, clubs etc) will be permitted where they enhance the vitality of the town and do not result in an unacceptable imbalance of non A1 uses.

A primary frontage has been identified in Rhyl to preserve its retail function. Non-retail uses will be encouraged to locate outside of the primary frontage.

This policy will contribute to meeting Objective(s):

4: Retail

5: Transport.

Policy PSE 9 – Out of centre retail development

Proposals for small scale retail uses within development boundaries will be permitted outside town centres provided they:

- i) are less than 500m² gross area, and**
- ii) serve the local area, and**
- iii) do not form part of an industrial estate, and**
- iv) do not jeopardise the viability and vitality of town or district centres.**

National Policy links**Planning Policy Wales:**

Chapter 10 – Planning for Retail and Town Centres.

Technical Advice Notes:

TAN 4 – Retailing and Town Centres

TAN 12 – Design

Justification

Retail development outside of town centres can jeopardise the vitality and viability of existing town centres. The Local Development Plan will seek to limit the scale of retail development outside of town centres, whilst recognising the need to allow

some development to help sustain communities, particularly in rural areas. The Council will support proposals for new small scale shops, and pubs and post offices etc within development boundaries or associated with identified hamlets.

Proposals that are outside of the main town centre will be determined using the sequential approach outlined in Chapter 10 of Planning Policy Wales. Where proposals are of a scale that is found to be unacceptable they will be refused. The Council will direct any new supermarket provision either within or on the edge of existing town centres as defined on the proposals map. Proposals for retail on industrial estates will be not be permitted to prevent incremental change in the overall use of the site.

This policy will contribute to meeting Objective(s):

4: Retail

5: Transport.

Policy PSE 10 - Local shops and services

Proposals for new or the expansion of existing local shops and local services within settlements will be supported provided they satisfy Policy PSE 9. Proposals to combine a number of services within a single location to ensure their overall continued viability will be looked upon favourably.

Proposals that result in the loss of such shops or services to other uses will not be permitted unless it can be demonstrated that all of the following criteria are met:

- i) **the unit is no longer financially viable; and**
- ii) **the unit has been actively marketed for a period of 12 months without success; and**
- iii) **all other reasonable options to find a new user for the unit have been pursued.**

National Policy links

Planning Policy Wales:

Chapter 10 – Planning for Retail and Town Centres.

Technical Advice Notes:

TAN 4 – Retailing and Town Centres

TAN 12 – Design

Justification

Denbighshire possesses a significant number of shops and other local services such as local retail shops, post offices, public houses, community transport etc in its towns, villages and rural settlements, many of which are under threat. These perform a vital role in meeting the daily needs of people and it is important that these services are not lost.

Where proposals relate to the loss of shops or other services the Council will require applicants to produce evidence to substantiate the lack of viability of the use. This will include access to the financial records of the business in appropriate circumstances. Attempts to subvert the policy by deliberately running down a business to demonstrate it is not financially viable will not be supported. Where services can be combined in a single unit to improve their viability then this will be supported.

This policy will contribute to meeting Objective(s):

4: Retail

5: Transport

The Visitor Economy

The visitor economy encompasses a variety of elements that contribute to making a successful visitor destination such as:

- the natural environment, the heritage and culture, iconic buildings, the retail, sport, leisure and cultural facilities, food, gardens, the events, the scenery; all the things that make the place special, distinctive and capable of engendering pride and interest and a place worth experiencing;
- the infrastructure that helps to reinforce and shape the sense of place and make it an easy place to visit; the signs, the transport, parking and orientation, interpretation, public space, amenities, etc;
- the services that cater for the needs of visitors (and of residents), that create economic and social activity and increase spending; including the hotels and bars, pubs and restaurants, galleries, the everyday events and the day-to-day services that make the place clean, safe and welcoming.

The visitor economy is valuable to Denbighshire and contributes around £250 million² to the economy annually and employs around 5,000, approximately 10% of the workforce, making it one of the key employment sectors for the County.

Denbighshire has a diverse tourism offer from the coastal resorts of Rhyl and Prestatyn; a wealth of attractive market towns set within a high quality environment, and a growing reputation in the outdoor activity sector. High quality development proposals that support and enhance the visitor economy of the County will generally be supported and encouraged.

The coastal resorts of Rhyl and Prestatyn have long been dominated by the visitor economy, traditionally attracting large numbers of both staying and day visitors. Rhyl and Prestatyn have largely failed to respond to the changes in the visitor market and have remained over dependant on long family holidays and having limited appeal to those seeking new types of visitor experience. It is essential that these resorts position themselves to attract new and growing tourism markets in the future.

² Denbighshire STEAM analysis 2007.

The failure to adapt has resulted in the tourism season being short and a high proportion of employment being seasonal and poorly paid. This has been a significant contributory factor in leading to high levels of multiple deprivation seen in some wards in Rhyl.

On-going initiatives to regenerate Rhyl are beginning to have significant effects in terms of improving the environment and this will ultimately lead to increased economic prosperity and the repositioning of Rhyl and Prestatyn within the tourism market. The following policies should be read in conjunction with others such as Policy PSE 1 North Wales Coast Strategic Regeneration Area.

The outdoor activity sector is one that has significant potential to grow within Denbighshire. There is an area of outdoor activity specialism building up around the AONB, Llandegla area – based on the mountain bike and shooting centres across the County; to the Hiraethog Moors and Llyn Brenig areas.

Policy PSE 11 – Major new tourism developments

Proposals for sustainable forms of tourism development, of regional or national significance, which meet the needs of residents and visitors will be supported subject to meeting all the following criteria:

- i) it is appropriate to its setting and within the capacity of the local environment, particularly within or affecting the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas. In line with national policy any proposals that are considered to be detrimental to the quality of the Area of Outstanding Natural Beauty and World Heritage Site will be refused; and**
- ii) it is within the capacity of the local infrastructure, or it can be demonstrated that the development can fully address any infrastructure deficiencies identified, and;**
- iii) it is accessible to all potential users, offering large scale and appropriate public transport and where possible access by walking and cycling, and;**
- iv) it will support and extend the range of facilities on offer within the County, and;**
- v) it will assist in the regeneration and biodiversity objectives of Denbighshire, and;**
- vi) it will utilise available local labour where possible.**

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast,
Chapter 7 – Economic Development,
Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design
TAN 13 – Tourism

Justification

Large scale innovative projects can significantly enhance the visitor economy and offer wide reaching benefits throughout the County. Developments such as major holiday parks and visitor centres of national or regional significance can significantly increase visitor numbers and can be an effective way of raising the profile and reputation of a visitor destination.

Major new tourism developments can have a negative impact upon landscape character if they are insensitively developed or inappropriately located. Development proposals, particularly within the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas, will require very careful consideration to ensure there will be no detriment to the landscape character.

This policy will contribute to meeting Objective(s):

- 5: Transport
- 12: Infrastructure
- 15: Tourism
- 16: Areas of Protection

Policy PSE 12 - Chalet, static and touring caravan and camping sites

Proposals for new static caravan sites will not be permitted. However the environmental improvement of existing static holiday caravan or chalet sites by remodelling, provision of new facilities and by landscaping will be supported provided the development is acceptable in terms of other Local Development Plan policies and meets the following criteria:

- i) **the proposed development preserves or enhances the character and appearance of the area; and**
- ii) **it can be demonstrated that any proposed increase in the number of static caravan/chalet units would preserve or enhance the landscape setting of the overall site.**

The change of use of a static caravan or chalet from tourist use to residential use and the conversion of touring caravan sites to statics will not be permitted.

New touring caravan and camping sites will be encouraged where all the following criteria are met:

- i) **the site is small in scale and proportionate to its location, particularly within and adjoining the Area of Outstanding Natural Beauty or Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage**

- Site (including the buffer zone) or other regionally important landscape areas; and**
- ii) the development would not result in an over concentration of sites in any one locality to the detriment of the landscape or residential amenity; and**
 - iii) the development makes a positive contribution to the local biodiversity, and natural and built environment; and**
 - iv) the development would not appear obtrusive in the landscape and is high quality in terms of layout, design and landscaping in line with the development principles, and it has no adverse highway or community impacts;**

The grant of planning permission may, where appropriate, be subject to the imposition of a seasonal occupancy condition.

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast,
Chapter 7 – Economic Development,
Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities
TAN 12 – Design
TAN 13 – Tourism

Justification

Static and touring caravan sites together with chalets and camp sites are an important source of holiday accommodation, which can be crucial to the success of the tourism industry, although such sites are often seen as being visually intrusive. This is particularly felt in the main resort areas of Rhyl and Prestatyn where a series of adjoining sites are prominent and in various countryside locations. In some areas the cumulative impact of existing sites may be considered visually obtrusive and dominant in the landscape therefore the Council will encourage landscaping schemes to improve and screen sites. The Plan will seek to ensure that future development is permitted only where the proposal would not result in an over concentration of similar uses in the locality and where there is significant enhancement of the biodiversity of the area. The occupancy of static caravans and chalets will be restricted to holiday use and any residential use will be subject to enforcement action.

There is already an over provision of caravan type development particularly in the north of the County much of which is of low quality. Much of the coastal area is exposed with little tree cover which makes the assimilation of caravan sites into the landscape difficult. In the inland rural areas, caravan development, particularly static caravans, can be obtrusive in the landscape and damaging to the character of the rural area unless strictly controlled.

The replacement of existing static caravan sites with woodland-lodge style developments will be permitted where it improves the appearance of the site. Development will only be permitted after it has been demonstrated that no adverse impact on the integrity of nature conservation and biodiversity sites will result. The use of a caravan or chalet in the countryside for other than holiday purposes will be resisted.

Any extensions to static caravan sites will be minor in nature. For the purpose of this policy, sites where static caravans are the predominant caravan type will be considered as an existing static caravan site and therefore assessed as above.

New proposals for touring caravan sites

Touring caravan sites and camp sites have a lower impact as they are not permanently occupied and in winter months there may be little evidence of activity. However in summer months they can be intrusive in the landscape and may add to visitor pressure on particular areas if not controlled. Where visitor pressures are less they may be suitable, subject to other environmental considerations.

The policy is intended to ensure that proposals for touring caravan sites only cater for short term tourist use, are unobtrusive in the landscape, can be safely accessed, are attractively designed and include a high quality landscaping scheme incorporating mature planting. In line with national guidance, these sites will not be permitted within flood risk zones. Beyond the settlement limits landscape and other environmental considerations become more important, so it is unlikely that many new touring caravan and tent sites will be developed in the rural area during the plan period. It is envisaged that this policy could be used to allow small scale development on new sites providing this does not adversely impact on the landscape. It is recognised that the number of pitches would probably not be economically viable as a stand alone business enterprise. Instead it is considered that the policy can be used by the agricultural community as a form of farm diversification and a means of providing an additional income

This policy will contribute to meeting Objective(s):

- 14: Design and Objective
- 15: Tourism, and Objective
- 16: Areas of Protection.

Policy PSE 13 - Coastal tourism protection zones

Within the coastal tourism protection zones shown on the proposals maps proposals which would result in the loss of tourism facilities will not be supported.

National Policy links

Planning Policy Wales :

- Chapter 5 – Conserving and Improving Natural Heritage and the Coast,
- Chapter 7 – Economic Development,
- Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

TAN 13 – Tourism

Justification

The coastal areas of Rhyl and Prestatyn are vital to the visitor economy of the area. An integral part of the regeneration of the coastal area is to reposition the resorts to attract new and higher spending visitors with quality attractions, activities, accommodation and environment. Restricting land uses in the coastal tourism protection areas to those relating to the visitor economy is complementary to the regeneration aims for the area.

This policy will contribute to meeting Objective(s):

15: Tourism

Policy PSE 14 – Outdoor activity tourism

Development proposals that expand or reinforce the tourism offer of the County in the outdoor activity sector will be supported provided the following criteria are met:

- i) the development is appropriate to its setting and within the capacity of the local environment and infrastructure, particularly within and adjoining the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas. In line with national policy any proposals that are considered to be detrimental to the quality of the Area of Outstanding Natural Beauty and World Heritage will be refused; and**
- ii) that any suitable existing buildings are converted or re-used in preference to new build; and**
- iii) necessary mitigation measures are included and the proposals would not have an unacceptable impact on the local community; and**
- iv) chalet development in association with outdoor activity tourism will only be permitted if a significant need is demonstrated and there are no opportunities to use or convert existing buildings for tourist accommodation.**

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast,

Chapter 7 – Economic Development,

Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

TAN 13 – Tourism

Justification

Denbighshire is well placed to take advantage of the growth in the outdoor activities sector. The success of current facilities such as the Llandegla Mountain Bike Centre should be built upon and encouraged. Expenditure by participants in outdoor activities is often high and the County is supportive of developments that will encourage sustainable growth in this sector within environmental capacity limits.

Development proposals, particularly within the Area of Outstanding Natural Beauty or Area of Outstanding Beauty, will require very careful consideration to ensure there will be no detriment to the landscape character.

In line with policy PSE 12, new static caravan sites will not be permitted.

This policy will contribute to meeting Objective(s):

15: Tourism,

16: Areas of Protection.

Minerals

Minerals can contribute towards the Welsh economy; however, they can also have significant costs, including social and environmental costs associated with them. Historically, mineral extraction has largely occurred within the AONB and AOB. The Local Development Plan will steer new mineral extraction away from the AONB and AOB and seek to ensure that future mineral extraction is necessary, and contributes towards meeting regional and local demand.

The North Wales Regional Aggregate Working Party has identified a need for Denbighshire County Council to make provision for additional sand and gravel extraction over the life of the Local Development Plan and to safeguard limestone and sand and gravel deposits within the County for future generations. Minerals Planning Policy Wales and Minerals Technical Advice Notes 1: Aggregates and 2: Coal requires local authorities to safeguard minerals for future generations and to identify where new extraction would be acceptable. The Local Development Plan will safeguard minerals from development which would hinder their future extraction and ensure that existing and proposed quarries have buffer zones around them to provide a separation distance between potentially conflicting land uses. Minerals allocations are identified on the Minerals Proposals Map.

Policy PSE 15 - Safeguarding Minerals

High quality resources of minerals, including limestone, sand and gravel, Denbigh Gritstones, igneous and volcanic deposits will be safeguarded from development that would result in its permanent loss or hinder future extraction. Development will only be permitted where:

- i) **it can be demonstrated that the need for the development outweighs the need to protect the mineral resource; or**
- ii) **where such development would not have a significant impact on the viability of that mineral being worked; or**
- iii) **where the mineral is extracted prior to the development.**

National Policy links

Planning Policy Wales:

Minerals Planning Policy Wales

Technical Advice Notes

Minerals Technical Advice Note 1: Aggregates

Minerals Technical Advice Note 2: Coal

Justification

The safeguarding of an area does not indicate an acceptance of working but protects potential resources from other types of permanent development which would either sterilise them or hinder future extraction. Small scale developments may be suitably located so as to minimise impacts on the mineral reserve and its likelihood of being worked in the future. Developments that are adjacent to existing settlements are unlikely to have a significant impact because of the need to retain a buffer between mineral working and dwellings however, large scale developments could potentially sterilise mineral reserves. Where this is the case, the mineral should be removed prior to, or as part of, the development of the site. The Local Development Plan allocations are not considered to jeopardise the safeguarding of minerals due to their proximity to existing built up areas.

No safeguarding areas for coal are identified on the proposals maps at the present time as there are no known primary or secondary resources in Denbighshire. Should further information become available which indicates such resources are present; the proposals maps will be amended.

This policy will contribute to meeting Objective(s):

9: Minerals.

Policy PSE 16 - Mineral buffer zones

Sensitive development within buffer zones, as defined on the proposals map, will not be permitted unless it can be demonstrated that working has ceased and will not be resumed.

Extensions to quarries will only be permitted where a suitable buffer can be retained, i.e. where such an extension would not cause other development to become part of a buffer, and where it can be demonstrated that there is no unacceptable impact on the environment or human health.

National Policy links

Planning Policy Wales:
Minerals Planning Policy Wales

Technical Advice Notes

Minerals Technical Advice Note 1: Aggregates

Minerals Technical Advice Note 2: Coal

Justification

Sensitive development, as defined within Minerals Planning Policy Wales, includes residential development, hospitals, schools and specialised high technology. Development which is not sensitive, such as general industry and distribution, is therefore not affected by the buffer zones, and will be assessed using policy PSE 15 in terms of its impact on future extraction. Operations undertaken at mineral workings may be incompatible with these uses. The buffer zones selected reflect the nature and activities of the mineral extraction in question. In the case of sand and gravel, buffer zones are 100m and in the case of hard rock, they are 200m. These distances will be applied unless there are clear and justifiable reasons for reducing them, in line with Minerals Technical Advice Note 1: Aggregates. Where quarries are no longer permitted to operate, such buffers are not necessary. However, where sites are dormant and may continue operations at a later date, it is undesirable to inhibit further working by introducing sensitive development. Buffer zones do not preclude further expansion of a quarry; however, development outside of these buffer zones may limit further expansion.

This policy will contribute to meeting Objective(s):

9: Minerals,

16: Areas of Protection.

Policy PSE 17 - Future mineral extraction

- i) **Application for the working of minerals within the Area of Outstanding Natural Beauty will not be permitted unless exceptional circumstances can be demonstrated.**
- ii) **Applications for the extraction of aggregate minerals will only be permitted where it is necessary to maintain stocks of permitted reserves having regard to the Regional Aggregate Working Party apportionment figures, or, where no figure exists, the demonstrated need of the industry concerned.**
- iii) **Applications for the extraction of up to 1 million tonnes of sand and gravel will be permitted in Preferred Areas (identified on the proposals maps); taking into account the above criteria.**
- iv) **Applications that accord with the above criteria will be permitted provided that all the following criteria are met:**
 - a. **An appropriate buffer is included, within which no mineral working or sensitive development will be allowed; and**
 - b. **Suitable access and transport routes are identified; and**
 - c. **Final reinstatement of public rights of way should be close to their original alignment with intermediate reinstatements where possible; and**

- d. **Noise is kept to an acceptable level; and**
- e. **Measures to reduce the impact of dust, smoke and fumes are implemented; and**
- f. **Suitable blasting controls are implemented; and**
- g. **Impacts on groundwater and water supplies are found to be acceptable; and**
- h. **An appropriate restoration scheme and after use is identified for the site.**

National Policy links

Planning Policy Wales:

Minerals Planning Policy Wales

Technical Advice Notes

Minerals Technical Advice Note 1: Aggregates

Minerals Technical Advice Note 2: Coal

Justification

Minerals can only be worked where they are found; however, the existence of a mineral reserve does not justify its extraction. The need for the extraction of the mineral should be demonstrated and found to outweigh the environmental impacts of such development.

There are a number of existing quarries located within the Area of Outstanding Natural Beauty. Proposals for extraction within the Area of Outstanding Natural Beauty, including proposals to extend existing sites, will be assessed using the strict tests contained within Minerals Planning Policy Wales paragraph 21.

Minerals Technical Advice Note 1: Aggregates (paragraph 49) requires local authorities to maintain landbanks of 10 years crushed rock and 7 years sand and gravel to be maintained over the entire plan period. The Regional Aggregates Working Party produced a Regional Technical Statement (RTS) in 2009 which forecast levels of demand for aggregates in the region and apportioned allocations to local authorities in the region to enable the region to maintain a 15 and 12 year landbank for crushed rock and sand & gravel respectively. The RTS identified that there was no need to allocate crushed rock (limestone) as adequate landbanks already exist. However, it did identify the need for Denbighshire to allocate 1 million tonnes of sand and gravel.

In order to ensure that an adequate land bank of sand and gravel is maintained preferred areas (as defined by Minerals Planning Policy Wales, paragraph 14) have been identified on the proposals maps. Within these areas resources have been identified in GIS data supplied by the British Geological Survey. Preferred Areas have been determined by removing areas that are considered sensitive, such as the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Sites of Special Scientific Interest, Special Protection Areas. The area can accommodate well in excess of 1mt. This will ensure that a degree of market choice is retained and will ensure towards the end of the Local Development Plan the landbank can be maintained beyond 1 million tonnes if required.

Coal can contribute towards the energy requirements of Wales. The Energy Review (2006) states the Government believes that it is right to make the best use of UK energy resources, including coal reserves, where it is economically viable and environmentally acceptable to do so. Minerals Technical Advice Note 2: Coal, sets out the Assembly's requirements with respect to coal and Local Development Plans. Local Development Plans are required to identify shallow coal areas that should not be worked. Denbighshire has two areas of shallow coal deposit in the Prestatyn / Dyserth area and the Trefnant / Henllan area. It is felt that neither of these areas are acceptable for future working of coal because of the presence of sensitive development, environmental designations and constraints.

This policy will contribute to meeting Objective(s):

9: Minerals;

16: Areas of Protection.

Theme: Valuing Our Environment

Valuing Our Environment is concerned with the protection and enhancement of those assets, both natural and man made, that make up Denbighshire's unique environment. The natural and historic environment can contribute towards the economy, and maintain the health and well being of those who live and work in Denbighshire. Denbighshire has a quality natural and man-made environment which the Local Development Plan will seek to enhance and protect. National policy affords these assets a degree of protection, particularly Sites of Special Scientific Interest, Special Areas of Conservation, Ramsar sites, AONB, high quality agricultural land, listed buildings, conservation areas, sites of archaeological interest, historic parks and gardens and ancient monuments. Specific policies are included within the Local Development Plan to outline the Council's priorities in terms of areas of protection, protection of the AOB, Pontcysyllte World Heritage Site, to control enabling development, and to guide waste and renewable energy development.

Climate change is perhaps one of the largest threats to our environment. Denbighshire needs to minimise the impact it has on climate change by ensuring new development can be accessed sustainably, minimises energy use, and by ensuring that the use of renewable energy is maximised wherever possible. Development in Denbighshire also needs to ensure that it can adapt to the impacts of climate change, such as increased flood risk, extreme weather events and rise in sea levels, by ensuring that new development is located away from those areas that are susceptible to flooding. The use of sustainable drainage systems will be encouraged within all new development proposals.

Policy VOE 1 – Key Areas of importance

The following areas will be protected from development that would adversely affect them. Development proposals should maintain and, wherever possible, enhance these areas for their characteristics, local distinctiveness, and value to local communities in Denbighshire:

- **Statutory designated sites for nature conservation;**
- **Local areas designated or identified because of their natural landscape or biodiversity value;**
- **Sites of built heritage; and**
- **Historic Landscape, Parks and Gardens.**

National Policy Links

Planning Policy Wales:

Chapter 4 – Planning for Sustainability

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Chapter 6 – Conserving the Historic Environment

Technical Advice Notes:

TAN 5 – Nature Conservation and Planning

TAN 6 – Planning for Sustainable Rural Communities

TAN 15 – Development and Flood Risk

Justification

International obligations and national policy provide protection to areas that are designated because of their geomorphological features, rare species and habitats, archaeological historic importance, agricultural value, or amenity benefits to local communities.

This policy includes locally designated or identified areas. The intention is to supplement national policies where further recognition is required at the local level. Planning Policy Wales (PPW) and Technical Advice Note (TAN 5) 'Nature Conservation and Planning' provide information about statutory nature designations and the different levels of protection. Statutory designated sites for nature conservation are; Ramsar sites, Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNR), Marine Nature Reserves (MNRs) and Local Nature Reserves (LNRs).

The inclusion of parks and gardens in the Cadw/ICOMOS Register does not confer any extra statutory controls. New development which is proposed within boundaries or within their defined essential settings should not harm the special character(s). Development proposals which fall within registered historic landscapes, parks and gardens will be assessed against the Guide to Good Practice on using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process (Cadw/CCW/WAG).

This policy will contribute to meeting Objective(s):

16: Areas of Protection.

Landscape Protection

Denbighshire has a high quality landscape, including the Clwydian Range and Dee Valley which is identified as an Area of Outstanding Natural Beauty, and part of Y Berwyn which has been identified as an Area of Outstanding Beauty in the Local Development Plan. The AONB is afforded protection in national policy.

Policy VOE 2 - Area of Outstanding Natural Beauty and Area of Outstanding Beauty

In determining development proposals within or affecting the Area of Outstanding Natural Beauty (AONB) and Area of Outstanding Beauty (AOB), development that would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation will not be permitted.

National Policy Links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities

TAN 16 – Sport, Recreation and Open Space

Justification

The Clwydian Range and Y Berwyn were identified as being of national landscape importance by the Hobhouse Report in 1947.

The Clwydian Range was statutorily designated as an Area of Outstanding Natural Beauty (AONB) in 1985, whilst the Dee Valley and parts of Y Berwyn were included after careful consideration by Natural Resources Wales in 2012. Land designated as either AONB or AOB is shown on the relevant proposals maps.

Consideration will be given to both the impact of development within the AONB and AOB and the impact of development on the setting of the AONB and AOB. Important views to and from the AONB and AOB will be protected.

Applicants should ensure that proposals are compatible with the aims and objectives of the AONB Management Plan.

This policy will contribute to meeting Objective(s):

16: Areas of Protection.

Policy VOE 3 – Pontcysyllte Aqueduct and Canal World Heritage Site

Development which would harm the attributes which justified the designation of the Pontcysyllte Aqueduct and Canal as a World Heritage Site and the site's Outstanding Universal Value will not be permitted. The following are considered to be key material considerations:

- i) The authenticity and integrity of the attributes that contribute to the Outstanding Universal Value of the World Heritage Site including views, and features of cultural, artistic, historical, social and natural environmental importance.**
- ii) The setting of the World Heritage Site and attributes important to the Outstanding Universal Value of the site present within the Buffer Zone.**

Where there is a demonstrable need for essential non-residential visitor attraction facilities for the World Heritage Site which cannot be provided within the settlement limit, their location outside settlement limits will be permitted where there is no adverse impact on the Outstanding Universal Value.

National Policy links**Planning Policy Wales:**

Chapter 6 – Conserving the Historic Environment.

Welsh Office Circular 61/96, 'Planning and the Historic

Environment: Historic Buildings and Conservation Areas’.

Justification

Pontcysyllte Aqueduct and Canal World Heritage Site contains a number of outstanding and internationally important features. The aqueduct and the eleven miles of canals centred upon it utilised a concentrated series of innovative engineering solutions to negotiate a challenging upland landscape and for two centuries it remained as the tallest navigable aqueduct in the world. The site is a spectacular example of canal engineering, an architectural masterpiece set in a dramatic landscape, exemplifying improvements in transport during the industrial revolution. It is of outstanding universal value (OUV). The aqueduct and canal, its immediate setting and key views to and from the site and its wider historic and social context (e.g. the immediate locality provided materials and engineering expertise) that underpin the justification for building the aqueduct and canal are critical to the interpretation of the site and in understanding the integrity and authenticity of the outstanding universal value. There is a need to provide essential facilities to meet the needs of visitors to the site. Since the site lies largely within open countryside it is not always possible for these facilities to be located within developed areas and it is therefore recognised that limited development (such as car parking, toilets) in the open countryside will be necessary. Essential facilities must be sensitively located, landscaped and designed so as not to conflict with the reasons for designating the site. Bilingual signage and interpretation is expected.

The aqueduct and canal and its immediate environs extend into Wrexham and Shropshire and this policy has been jointly formulated to ensure a consistent approach. Further advice will be set out in joint Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

15: Tourism

16: Areas of Protection.

Policy VOE 4 – Enabling Development

Enabling development may be permitted as a way of resolving the status of heritage assets designated as ‘at risk’, provided all of the following criteria are met:

- i) The enabling development will not materially detract from the archaeological, architectural, historic, landscape or biodiversity interest of an asset, or materially harm its setting; and**
- ii) the proposal avoids detrimental fragmentation of management of the heritage asset; and**
- iii) the proposal will secure the long term future of the heritage asset, and where applicable, its continued use for a sympathetic purpose; and**
- iv) the problem arises from the inherent needs of the heritage asset, rather than the circumstances of the present owner or the purchase price paid; and**

- v) **sufficient financial assistance is not available from any other source; and**
- vi) **it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset, and that its form minimises disbenefits; and**
- vii) **the value or benefit of the survival or enhancement of the heritage asset outweighs the long term cost to the community (ie disbenefits) of providing the enabling development.**

The former North Wales Hospital, Denbigh is designated under this policy in order to secure the future of these important listed buildings. Any enabling development must be the minimum necessary to achieve this.

National Policy Links

Planning Policy Wales:

Chapter 6 – Conserving the Historic Environment

Justification

Enabling development is development which would normally be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out and which could not otherwise be achieved. In some rare cases the only way of securing the future of a heritage asset is to allow enabling development, which normally would not be allowed, thereby releasing funds. This will only be allowed where all the criteria in this policy are met. In addition, the guidance as set out in the document "Enabling Development and the Conservation of Heritage Assets" published by English Heritage will be applied.

Enabling development, as an approach, will only be considered in relation to heritage assets designated as 'at risk' and not to any other heritage asset or other type of building/facility.

This policy will contribute to meeting Objective(s)::

16: Areas of Protection.

Policy VOE 5 – Conservation of natural resources.

Development proposals that may have an impact on protected species or designated sites of nature conservation will be required to be supported by a biodiversity statement which must have regard to the County biodiversity aspiration for conservation, enhancement and restoration of habitats and species.

Where the overall benefits of a development outweigh the conservation interest of a locally protected nature site, mitigation and enhancement measures in or adjacent to these sites should be an integral part of the scheme.

If necessary, measures required to mitigate likely adverse effects on the qualifying features of statutory designated sites should be put in place prior to the commencement of development. Measures required to offset any likely adverse effects will be secured by planning conditions and/ or planning obligations.

Planning permission will not be granted for development proposals that are likely to cause significant harm to the qualifying features of internationally and nationally designated sites of nature conservation, priority habitats, priority species, regionally important geodiversity sites, or to species that are under threat.

National Policy Links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast
Chapter 13 – Minimising and Managing Environmental Risks and Pollution

Technical Advice Notes:

TAN 5 – Nature Conservation and Planning
TAN 6 – Planning for Sustainable Rural Communities

Justification

The County has a varied landscape and natural environment which supports a rich variety of habitats and species, some of which are nationally rare (e.g. oak woodlands and upland moors). There are several international sites of nature conservation (Ramsar site, Special Areas of Conservation, and Special Protection Areas), which benefit from the highest level of protection under European and international legislation. Sites designated under national and international legislation will be protected under the terms of relevant legislation.

Proposals for development must be accompanied by a biodiversity statement appropriate to the scale and potential impact of the proposal.

There are more than 250 sites of nature conservation interest (County wildlife sites) and over 200 species of conservation importance to Denbighshire.

Furthermore, there are 65 Regionally Important Geodiversity Sites (RIGS) which currently have no statutory protection. Support will be given to the enhancement and increase in number of sites and priority habitats/ priority species of high nature conservation value, including geodiversity, and in particular to meeting the objectives identified in the action plans of the Local Biodiversity Action Plan.

Denbighshire Local Biodiversity Action Plan supplements the United Kingdom Biodiversity Action Plan (UK BAP) and provides the framework for future wildlife conservation action at County level. It is concerned with the production and implementation of the County Habitats and Species Action Plans. These documents provide information on the habitats and species that are of local importance.

In cooperation with Natural Resources Wales (formerly CCW), the Council has set up the 'LANDMAP' landscape database that provides information about the importance of local landscape features. Both, the Local Biodiversity Action Plan and LANDMAP are key sources of information for developers to establish an understanding of the biodiversity situation on sites likely to be affected by a development proposal.

Whilst many important areas for biodiversity are covered by recognised designations, it is important that the biodiversity value of non-designated areas is also understood and recognised. The local wildlife trust and/or Local Biological Records Centre are likely to be key partners/consultees when developing an understanding of the baseline situation.

The restoration or enhancement of habitats and species numbers will be supported where these contribute to the Local Biodiversity Action Plan. The Council is committed to support the implementation of Regulation 39 of 'The Conservation of Habitats and Species Regulations 2010' in Denbighshire. Facilitating species adaptation and migration through protecting habitat connectivity corridors and enhancing biodiversity is necessary to adapt to climate change.

There are several internationally designated sites of nature conservation value within or adjacent to Denbighshire. They benefit from the highest level of protection under international legislation. The Local Development Plan is accompanied by a Habitats Regulations Assessment (HRA) that investigated the likelihood of significant effects on the qualifying features of these sites.

However, development proposals might require a further Habitats Regulations Appraisal on a project level to ascertain whether or not there will be any adverse effects. Information on how to do a Habitats Regulations Appraisal can be found in Technical Advice Note (TAN) 5 'Nature Conservation and Planning', and practical guidance provided by Natural Resources Wales.

New development will have regard to the impact, either direct or indirect, on people's opportunity to enjoy and experience nature, enabling where appropriate, improved public access and understanding of local environmental characteristics.

Development proposals will be expected to undertake appropriate surveys and include measures that maintain and enhance important features whilst incorporating them within any development of the site.

Practical guidance for applicants and developers will be set out in in Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

16: Areas of Protection

Policy VOE 6 – Water Management.

All development will be required to incorporate water conservation measures, where practicable. Major development proposals (greater than

1,000 sqm floorspace or 10 dwellings) should be accompanied by a Water Conservation Statement.

All development will be required to eliminate or reduce surface water run-off from the site, where practicable. The run-off rates from the site should maintain or reduce pre-development rates

National Policy links

Planning Policy Wales:

Chapter 12 – Infrastructure and Services

Technical Advice Notes:

TAN 21 – Waste

TAN 12 – Design

Justification

There is a need to balance the growing demand for water with the needs of the environment. Even when there is theoretical capacity, sustaining the provision for the future population needs to have regard to the vulnerability of supply. The UK Climate Impacts Programme predicts hotter drier summers, warmer wetter winters and rising sea levels. These changes need to be taken into account in assessing the scale of the pressures on the water environment.

There are a number of ways water conservation can be achieved, such as water saving devices, rainwater harvesting, and grey water recycling, and the policy offers a degree of flexibility on the exact methods used. Water storage and treatment technologies are required to ensure safe use of these. Grey water could be for garden use or toilet flushing, etc. Rainwater harvesting could also have these and other uses. In some circumstances with the correct water treatment/s to ensure satisfactory water quality to ensure protection of human health, could be used for drinking water.

Large developments, or the cumulative impact of smaller developments, incorporating water storing measures could by reducing surface water run-off, have the potential to reduce flow levels in water courses and water tables, and thereby have a negative impact on biodiversity. A balance must be achieved between management of water recycling and ensuring no adverse impact on the water environment and biodiversity.

The use of Sustainable Drainage Systems (SuDS) to manage surface water flows can also be an important tool in minimising flood risk by increasing permeable surfaces in an area which allows water to seep into the ground rather than running off into the drainage system. The effective use of permeable surfaces, soakaways and water storage areas should be incorporated in all new development where technically possible. SuDS can also reduce the impact of diffuse pollution from run-off and flooding securing environmental, biodiversity and aesthetic benefits. Early consideration of SuDS is required in order that a range of techniques can be considered and developers are encouraged to enter into early discussions with the Council.

The Council supports Natural Resources Wales in promoting sustainable drainage systems which maintain or reduce pre-development rates of run-off and will seek advice from the agency to determine allowable rates of run-off. Developers will be referred to SuDS Working Group which is updated regularly, www.ciria.org.uk/suds for guidance.

Guidance on the requirements of a Water Conservation Statement will be set out in Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

12: Infrastructure

Waste

Waste is a cross cutting issue because it is produced by all types of land use, during construction, operation and demolition. The need to change the way in which we deal with waste is recognised in policy at all levels, particularly to reduce its production in the first place. Mechanisms to reduce the production of waste have been introduced at the national level, including the need to consider materials efficiency in Design and Access Statements, and the requirement for Site Waste Management Plans for large scale projects.

In order to deal with waste sustainably it is essential that the County has an adequate network of waste facilities. The North Wales Regional Waste Plan 1st Review has identified the level of need across the County, taking into account existing provision and apportioned the area of land that each local authority should allocate within their Local Development Plans.

Policy VOE 7 – Locations for Waste Management

The following sites are identified on the Proposals Map for waste management facilities:

Rhuallt: Design needs to reflect the rural nature of the surrounding area.

Landscape will be important due to proximity of AONB

St Asaph Business Park: High quality, in-built facilities, emphasis on design.

Denbigh Quarry: Small scale to serve the local area

Graig Lelo Quarry: Mixture of uses including open-air

Ruthin: Bus Depot: Small scale to serve the local area

Ruthin: Fedw Fawr: Small scale to serve the local area

Corwen Ty'n Y Gottel: Small scale to serve the local area

In addition to allocated sites, waste facilities, excluding landfill and open-windrow composting, will generally be acceptable on existing industrial estates.

National Policy links

Planning Policy Wales:

Chapter 12 – Infrastructure and Services

Technical Advice Notes:

TAN 21 – Waste

TAN 12 – Design

Justification

The North Wales Regional Waste Group (NWRWG) undertook a forecasting exercise for the year 2012/13, taking into account past trends, population projections, the likely impact of awareness raising campaigns and other waste reduction measures. The NWRWG considered it unrealistic to forecast beyond the year 2013 due to policy, regulatory and technology changes, all of which would impact on the level of waste arisings.

The North Wales Regional Waste Plan 1st Review identified an urgent need to address the current lack of recycling and recovery facilities in the county. The allocations identified above provide a choice of sites which can be taken forward for waste management. The sites listed above would provide a minimum of 15.2ha (excluding Denbigh quarry which requires detailed site investigation) of land for waste management, including sites for local facilities and those which can serve more than one local authority area. This is in excess of the North Wales Regional Waste Plan 1st Review (2009) requirements which are 7.31ha for local facilities and 7.27ha for facilities to serve more than one local authority area. The figures identified by the North Wales Regional Waste Plan 1st Review include 20% overprovision, therefore with the additional land identified there is a much greater level of overprovision included within the Local Development Plan. This approach is considered appropriate to allow for sites not coming forward and to ensure a geographical spread of sites across the County. Rhualt and St Asaph Business Park are considered to be of a strategic nature, whereas the sites in the south of the County are considered to be of local significance. There are a number of employment sites across the County which also offer potential in terms of their suitability for waste management. The Bodelwyddan employment site is considered to offer potential and a detailed allocation will be identified within the Master Plan for the area. Small scale, localised waste management can help to reduce the transport impacts waste can have and assist the local economy. The way in which waste is managed will change over the life of the Local Development Plan and it is important that policies do not prevent such change but ensure that it is carried out in such a way as to maximise benefit and minimise or remove any negative impacts.

The above allocations have been included to direct developers to locations that are considered suitable for waste management in the County. It is acknowledged that there may be other suitable sites on existing industrial sites. The suitability of a site will depend upon a variety of different factors, including the nature and scale of the waste facility and any site constraints such as flood risk, sensitive landscape and ecological sensitivity. No industrial sites will be excluded from consideration for waste facilities.

Community based waste facilities, by their very nature, may need to be located within existing communities which do not have industrial estates. In such cases, an application would be viewed positively.

This policy will contribute to meeting Objective(s):
10 : Waste.

Policy VOE 8 – Waste Management Outside Development Boundaries

Proposals for the treatment of biodegradable waste by means of composting, including anaerobic digestion and in-vessel composting, will generally be acceptable on sites with existing agricultural use to deal with biodegradable waste arising from that use or on sites outside of the AONB and Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone).

Proposals for the management of all other wastes arising outside of the development boundary will be permitted provided that all the following criteria are met:

- i) there is an unmet need identified in the Regional Waste Plan or the proposal relates to the management of waste generated and to be dealt with entirely on that site; and**
- ii) allocated sites are either unavailable or unsuitable for the proposed activity; and**
- iii) there are no suitable sites within the development boundary; and**
- iv) the proposal will not have any unacceptable community impacts; and**
- v) the proposal is of an appropriate scale and nature in terms of the site and its surroundings; and**
- vi) the proposal seeks to avoid the disposal of waste in landfill or where the proposal is for landfill, the site is outside of the AONB, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape and there is an appropriate scheme for restoration and aftercare.**

National Policy links

Planning Policy Wales:

Chapter 12 – Infrastructure and Services

Technical Advice Notes:

TAN 21 – Waste

TAN 12 – Design

Justification

There is an identified need for new waste facilities within the County. Whilst it is important that waste infrastructure is developed within the County, it is necessary to ensure that the infrastructure is suitably located so as to minimise the impact of new waste facilities on the environment and surrounding communities. National policy states that the majority of waste facilities are likely to be acceptable on existing industrial estates, with landfill and windrow composting likely to be suitable on farms as part of farm diversification. The Council considers that in some instances, facilities such as anaerobic digestion and in-vessel-composting may be acceptable on farms as part of farm diversification, particularly where it can be demonstrated that the output of the process is to be applied locally. In exceptional circumstances, other facilities may be acceptable on farms as part of farm diversification. Proposals should demonstrate that there is a-need for the development, and that there are no suitable alternative sites. In general, consideration should be given to the proximity principle and the need to locate waste facilities close to the source of the arisings. Facilities in rural locations that are to serve a local need may be considered to be appropriate. Proposals should demonstrate, through a sequential test, that the choice of location is appropriate. No sites have been allocated for landfill within the County. Proposals for landfill will be considered on their own merits taking into account need.

This policy will contribute to meeting Objective(s):

10: Waste.

Renewable Energy

For the purposes of planning policy, renewable energy is the term used to cover those sources of energy, other than fossil fuels or nuclear fuel, which are continuously and sustainably available in our environment. This includes wind, water, solar, geothermal energy and plant material (biomass). These sources of energy can be utilised to generate power, heat, and fuels (for transport) through a range of renewable energy technologies such as solar panels and wind turbines.

Renewable energy developments will feature in many types of situations such as:

- Those directly incorporated into the fabric of a building,
- Those that are stand-alone directly connected to the grid,
- Those built within a new development (e.g. development scale combined heat and power),
- Those that provide heat for a number of buildings (e.g. district heating),
- Those that provide a fuel for use in transport.

National renewable energy policy has changed rapidly to reflect improvements in knowledge and understanding, and to reflect changes at the European level, in particular, the Renewable Energy Directive. The most significant changes to the planning system are introduced through Planning Policy Wales (Edition 5), which requires Local Planning Authorities to undertake an assessment of the potential of all renewable energy resources and renewable and low carbon energy opportunities within their area. The Local Development Plan process was too

advanced to enable an assessment to be undertaken and completed prior to its submission to the Welsh Government. The Council will therefore undertake an assessment and publish the findings at the earliest opportunity. This will inform the first review of the Local Development Plan and any future Supplementary Planning Guidance.

Denbighshire is well placed to contribute to renewable energy generation by virtue of its natural resource. The Clocaenog Forest Strategic Search Area (SSA) identified by Technical Advice Note 8: Planning for Renewable Energy as a location for large scale wind turbine developments falls within Denbighshire and Conwy Council boundaries. Natural Resources Wales also identified a number of opportunities within the County with respect to hydropower. The Council recognises its responsibility to promote renewable energy through the planning system and has sought to balance this need with other objectives, including protection of important landscapes and conservation of the natural environment and built heritage.

Policy VOE 9: On-shore wind energy.

On shore wind turbine developments will be supported subject to an assessment of their environmental and sustainability impacts:

STRATEGIC / LARGE SCALE developments (generating capacity over 25MW) will be supported within the Clocaenog Strategic Search Area (SSA-A).

LOCAL AUTHORITY WIDE SCALE developments (generating capacity between 5MW and 25MW) will only be permitted within the Clocaenog Strategic Search Area where they do not prejudice the development of strategic/large scale schemes.

SUB LOCAL AUTHORITY SCALE developments (generating capacity between 50kW and 5MW) in the form of individual turbines or clusters of turbines will only be permitted within the Clocaenog Strategic Search Area where they do not prejudice the development of strategic/large scale schemes; and in all the above cases, outside the Area of Outstanding Natural Beauty, Conservation Areas, World Heritage Site and Buffer Zone, and other sites designated for ecological, historic, landscape, or other value, and where they do not adversely affect the setting of these areas.

MICRO / SMALL SCALE turbine developments (generating capacity below 50kW) will be permitted subject to an assessment of localised impacts.

All applications will be subject to normal environmental impact tests and include specific assessment / explanation of all the following criteria:

- i) how the proposals are consistent with the Clocaenog Statement of Environmental Master Planning Principles (applicable to strategic/large, local authority wide, and sub local authority scale, where in or on the periphery of the SSA-A); and**

- ii) **impacts, including cumulative impact on the surrounding area and community (e.g. landscape/visual, noise, biodiversity, transport, health impact); and**
- iii) **information on wind resource and the justification for the choice of turbine; and**
- iv) **community engagement; and**
- v) **mitigation proposals; and**
- vi) **the colours to be used on the turbine tower and blades.**

National Policy links

Planning Policy Wales:

Chapter 12 – Infrastructure and services

Technical Advice Notes:

TAN 8 - Renewable energy

Justification

The Clocaenog Strategic Search Area (SSA-A) has been identified at the national level (in Technical Advice Note 8) and is felt to offer the greatest potential in terms of the generation of energy from large scale wind turbines. The SSA-A boundary was identified by the Welsh Government at a “broad brush” scale and has been included in the Local Development Plan Proposals Map. In order to minimise the impact of large scale wind farms on the landscape, the Council will seek to direct strategic/large scale wind farms to the SSA-A in the first instance. There may be just cause for a development on the periphery of the SSA-A, to be partly located outside of the SSA-A. Applications on the periphery of the SSA-A will be dealt with on a case by case basis and must be justified in terms of a sequential test of alternative sites.

The Clocaenog Statement of Environmental Master Planning Principles (SEMP) was developed by the RSPB in conjunction with a steering group made up of Denbighshire and Conwy local authorities, Countryside Council for Wales (now Natural Resources Wales), and the North Wales Wildlife Trust. The SEMP identifies broad ecological character zones and draws up schedules of land management in order to maintain, improve or convert habitats within zones. The key objectives of the SEMP are to avoid a pattern of inappropriate and conflicting land management and provide a rationale for the spatial location of environmental community benefit. Where proposals fall outside of the SSA-A applicants will be expected to use the Environmental Master Planning Principles, to determine which Ecological Character Zone the proposal falls within in addition to normal environmental impacts.

Outside the SSA-A, sub-local authority scale developments will be considered where they fall outside designated areas or the setting of the designated areas. Turbine height will be limited to protect landscape impact. At the micro/small scale turbine height will be limited further to reflect the greater flexibility of location.

In all the above cases there are localised issues that all application will need to address. The impact of wind turbine(s) on local communities, particularly cumulative impacts, needs full consideration when justifying development proposals. In order to determine whether or not there is an unacceptable impact on a community, consultation with the affected community is expected and measures taken to address any negative impacts, including cumulative impacts if applicable.

Proposals will also be considered in terms of whether there are more suitable alternatives that could be reasonably be implemented. The County has a high quality landscape which the Local Development Plan will seek to preserve. Alternative forms of renewable energy may be more appropriate or efficient.

Further guidance will be set out in Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

11: Energy

Policy VOE 10 Renewable energy technologies

Development proposals which promote the provision of renewable energy technologies may be supported providing they are located so as to minimise visual, noise and amenity impacts and demonstrate no unacceptable impact upon the interests of nature conservation, wildlife, natural and cultural heritage, landscape, public health and residential amenity. In areas that are visually sensitive, including the AONB, Conservation Areas, World Heritage Site and Buffer Zone and in close proximity to historic buildings, visually intrusive technologies will not be permitted unless it can be demonstrated that there is no negative impact on the designation or there is an overriding public need for the development.

National Policy links

Planning Policy Wales:

Chapter 12 – Infrastructure and Services

Technical Advice Notes:

TAN 8 – Renewable Energy

Justification

This policy covers a range of renewable energy technologies, including micro-wind, solar, biomass, Combined Heat and Power (CHP). This policy does not cover wind energy which is covered by policy VOE 9.

Renewable energy has a large part to play in reducing the impacts of climate change and addressing the depletion of fossil fuels. Renewable energy schemes can also help address rising fuel costs, particularly in rural areas where larger community based schemes may not be viable. Developers should consider whether on-site provision is the best approach in terms of off-setting carbon or

whether near-site provision, through CHP may be more appropriate, enabling economies of scale to be achieved.

The impact of any proposal should be considered in relation to other policies contained within the plan, including their visual impact, impact on ecology, the historic environment and amenity. Developers should carefully consider the most appropriate technology to be used in order to comply with national policy.

Anaerobic digestion facilities may utilise human sewage, animal slurry or fuel crops, and may therefore be appropriately located alongside sewage treatment facilities, intensive livestock units and farms which grow fuel crops. The majority of sewage treatment works within the County are located within a flood plain and further development would be contrary to the tests outlined in TAN 15: Development and Flood Risk. There is therefore limited opportunity within the County to co-locate anaerobic digestion with sewage treatment works.

Biomass, particularly wood fuel, will have requirements for fuel storage facilities. In rural locations, the use of wood fuel provides a reasonable alternative to oil which is a common fuel source. Fuel storage may fall within the permitted development rights of a dwelling house. Where planning permission is required applications will generally be supported.

Further guidance will be set out in Supplementary Planning Guidance.

This policy will contribute to meeting Objective(s):

11: Energy

Theme: Achieving Sustainable Accessibility

Local Development Plan objectives support the need to improve accessibility to facilities and promote sustainable forms of transport. It is accepted that Denbighshire is largely car dependent given the rural nature of the county. Welsh national policies require a reduction in the need for and length of travel, whilst recognising that access by car will continue to some extent.

Policy ASA 1 – New transport infrastructure

Development proposals for the provision of new transport infrastructure and improvements to existing infrastructure facilities will be supported providing that the following criteria are met:

- i) there is a need and justification for the proposal on economic and/ or social grounds; and**
- ii) there are no unacceptable effects on the natural and built environment; and**
- iii) provision is made for safe access by all users, including cyclists, pedestrians and the mobility impaired.**

The Council supports the following projects:

- Projects, measures or actions identified in the North Wales Regional Transport Plan;**
- The use of suitable disused railway lines as recreational routes;**
- Extension and improvement of cycle and walking networks in the County;**
- Extension of the Llangollen railway from Carrog to Corwen.**

National Policy links

Planning Policy Wales:

Chapter 3 – Making and Enforcing Planning Decisions

Chapter 8 – Transport

Technical Advice Notes:

TAN 18 – Transport

Justification

The provision of new, or the extension of existing transport infrastructure is not limited to roads and motor vehicle requirements but equally focuses on walking routes, cycling infrastructure and public transport infrastructure/ facilities. New transport infrastructure may be required to alleviate existing highway problems, based on evidence of need, or to facilitate major developments, which are unlikely to be accommodated within existing infrastructure.

Road traffic significantly contributes to carbon dioxide (CO₂) emissions and other air pollutants that have a negative impact on health and well-being of local

communities. Denbighshire has no air quality management areas in place at the moment, and is committed to avoiding reaching critical levels. Health and well-being is also affected by noise pollution. The Welsh Government has issued maps for the north of the County with relevant information for developers. Therefore, the assessment of the environmental impact of transport proposals, especially highway schemes, will not be limited to habitats and species but must also include noise and air pollution.

There are several foot and cycle paths and disused railways throughout the county. Their location makes them a useful resource in providing safe, accessible routes for walking, cycling and horse riding. Local Communities are encouraged to take part in outdoor activities, experience the natural environment and improve health and well-being. Safeguarded land for planned cycling / walking routes will help to extend the network of such routes across the County and beyond.

Non-motorised user (NMU) audits aim to encourage developers to consider the needs of non-motorised users, e.g. pedestrians, cyclists and equestrians, when proposing work to trunk roads and highway schemes. Since they inform highway schemes in improvements to design and road layout, non-motorised user audits conclusions and recommendations should be incorporated into developments. Guidance on non-motorised user audits is set out in 'Design Manual For Roads And Bridges', Volume 5 – Assessment and Preparation of Road Schemes, which was prepared by the Department for Transport in cooperation with Welsh Government.

Major developments will have implications on existing travel patterns in an area. Locating retail, housing, education facilities and health services can cause change to travel directions, travel frequencies and the choice of means of transport. A Transport Assessment for a proposed development should assist in predicting implications and identifying measures to counteract the likelihood of negative impacts. Like non-motorised user audits, the conclusions and recommendations of a transport assessment should be incorporated into the development proposal. Information with regard to transport assessment requirements and process can be found in Technical Advice Note (TAN) 18: Transport, Appendix D.

Where development proposals are of a significant scale, they will be considered in light of their inclusion in the North Wales Regional Transport Plan (NWRTP). Development proposals referring to either aviation or railway infrastructure will be assessed in light of Welsh national planning policy and in consultation with relevant government bodies.

The extension of the railway line along the River Dee from Carrog to Corwen is a major tourist project that does not only aim at attracting more visitors into the Vale of Llangollen/Dee Valley but also at supporting regeneration projects in the town of Corwen. The Welsh Government has granted a Transport and Works Order, 'The Llangollen and Corwen Railway Order 2010', which allows the Council to deal with planning details.

This policy will contribute to meeting Objective(s):
5: Transport.

Policy ASA 2 – Provision of sustainable transport facilities

Development proposals expected to result in a need to bring forward improvements to public transport, walking or cycling infrastructure will be required to incorporate or contribute to the cost of their provision. Subject to individual assessments, schemes may be required to provide or contribute to:

- Capacity improvements or connection to the cycle network;
- Provision of walking and cycling links with public transport facilities;
- Improvement of public transport services.

National Policy links

Planning Policy Wales:

Chapter 8 – Transport

Technical Advice Notes:

TAN 18 - Transport

Justification

Improved walking, cycling and public transport facilities offer communities access to/from new developments via sustainable means of transport and increase peoples' health and well-being from the outset.

This policy links to policy BSC 3 in setting out the contribution which new developments will be expected to make in supporting sustainable forms of transport by modes other than the car.

It is an important element in ensuring that developments likely to generate either an increase in car-based trips, or additional demand for walking and cycling infrastructure, or public transport facilities, assist in mitigating carbon emissions, whilst improving accessibility for those unable to (or who choose not to depend on the) use (of) a car.

This policy will contribute to meeting Objective(s):

5: Transport,

12: Infrastructure.

Policy ASA 3 – Parking standards

Development proposals, including changes of use, will be expected to provide appropriate parking spaces for cars and bicycles. If the use of a property or premises requires parking infrastructure for mobility impaired people, these facilities will be taken into account when determining the amount of parking space required. Consideration will be given to the following circumstances (where they apply) in determining parking provision:

- **The site is located within a high-densely populated area;**
- **Access to and availability of public transport is secured;**
- **Parking is available within reasonable distance of the site;**
- **Alternative forms of transport are available in the area.**

National Policy Links

Planning Policy Wales:

Chapter 8 – Transport

Technical Advice Notes:

TAN 18 – Transport

Justification

Defining parking standards for new developments, changes in use and subdivision of premises into independent units helps to reduce unnecessary land-take, and to implement well designed parking infrastructure throughout the County.

Choice of travel can be influenced by the availability of parking facilities. Maximum parking standards will be applied throughout the County to reduce the over-reliance on the car. Their purpose is to minimise individual car-based trips and to promote sustainable transport means. However, the need to avoid exacerbating parking and congestion problems in surrounding areas has to be a priority.

This policy will contribute to meeting Objective(s):

5: Transport.

CHAPTER 7 MONITORING

Monitoring of the Local Development Plan is important to understand the characteristics of the local area, assess the impact of policies and whether the strategy is delivering sustainable development so that the policies can be reviewed as appropriate.

The Council is required to produce an Annual Monitoring Report (AMR) of the Local Development Plan to review its progress and assess the extent to which the policies are being achieved. The indicators and targets set out below will help to inform this process and will provide the basis for the AMR.

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
Objective 1: Population and Community	BSC 1	Meet the housing needs of the County.	The number of new houses granted planning permission. The number of new homes completed annually.	In the case of both indicators: Less than 500 per year for 3 consecutive years in Phase 2 and less than 750 per year for 3 consecutive years in Phase 3.
	BSC 1	Maintain 5 year housing land supply		Less than 5 years housing land supply.
	BSC 2	Increase the number of brownfield sites coming forward for development.	The amount of new development granted planning permission on brownfield sites.	Decrease below 60% for housing and employment (excluding Bodelwyddan KSS).
	BSC 4, BSC 8, BSC 9	Increase the number of new affordable dwellings built in the County.	Number of affordable dwellings permitted per annum. Number of affordable dwellings completed per annum.	In the case of both indicators: Less than 165 affordable dwellings permitted per year for 3 consecutive years in Phase 2 and less than 225 per year for 3 consecutive years in Phase 3.

	BSC 10	Meeting the needs of gypsies and travellers		Where a need for permanent and/or transit sites is
LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
				identified for Denbighshire in the North West Wales Local Housing Market Assessment (LHMA). The Council will work in partnership with neighbouring authorities to instigate a site search. A suitable site will be identified and planning permission granted within 18 months of receipt of the North West Wales LHMA, should it identify a specific need.
Objective 2: Economy and Jobs	PSE 2	An average of 4 hectares of employment land taken up per annum.	The amount of new employment land, in hectares, granted planning permission.	Less than 3 hectares per year for 3 consecutive years.
	PSE 1 and PSE 3	Protect employment land from non employment uses.	The amount of employment land, in hectares, lost to non employment uses.	More than 5% lost in conflict with Policy PSE 3 in comparison to the amount of employment land available, in hectares, in the year of LDP adoption.
Objective 3: Economy and Jobs	PSE 5	Help to sustain the rural economy	Unemployment levels	Increase in unemployment levels

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
				in rural areas 5% above 2011 levels.
Objective 4: Retail	PSE 6 and PSE 9	Direct new retail development to existing town centres.	Amount of unallocated new major retail, office and leisure floor space permitted outside town centres.	1 new major retail, office and leisure development permitted outside town centres contrary to LDP policy.
	PSE 7	Meet the quantitative need for non food retailing in the county	The provision of new non food retail floorspace in Rhyl, Prestatyn and Denbigh	No projects delivered by 2015.
	PSE 8	Maintain the balance of retail and non retail uses within town centres	Number of shops lost due to a change of use.	5% increase in non retail uses in a town centre for 3 consecutive years.
	PSE6, PSE 8 and PSE 9	Maintain and enhance the vitality and viability of town centres	Number of vacant retail units within town centres.	Vacancy rate of 15% or above for 3 consecutive years.
	PSE 10	Protect local shops and services	Number of local shops or services lost due to a change of use.	Loss of any local shop or service contrary to policy.
Objective 5: Transport	ASA 1	Provision is made for safe access by all users, including cyclist, pedestrians to public services, retail and community facilities	Number of developments that incorporate recommendations made in accompanying transport assessment and non-motorised user audits	One development failing to incorporate the recommendations made in accompanying transport assessment and non-motorised user audits
	ASA 2	Use of planning conditions/ S106 agreements to secure the	Number of new developments improving or	No new developments making necessary

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
		improvement of or contributions to the improvement of public transport, walking or cycling infrastructure likely to be caused by new developments	making contributions towards the improvement of public transport, walking or cycling infrastructure through planning conditions/ S106 agreements	contributions towards the improvement of public transport, walking or cycling infrastructure through planning conditions/ S106 agreements after four years.
	ASA 3	Application of maximum parking standards to new development proposals in line with relevant Supplementary Planning Guidance	Number of new developments exceeding maximum parking standards set out in relevant Supplementary Planning Guidance.	One new development failing to comply with maximum parking standards.
Objective 6: Transport	BSC 5	Provision of new road infrastructure/improvements to existing road network between A55 Junction 26 and Bodelwyddan - Sarn Road	Length of new road infrastructure/improvement works to existing network between A55 Junction 26 and Bodelwyddan (Sarn Road);	No new road infrastructure / no improvement works to existing network between A55 Junction 26 and Bodelwyddan (Sarn Road) before the occupation of the first dwelling on the KSS.
		Improvement of public transport / increased bus service links between Bodelwyddan KSS and key settlements in negotiation with service providers	Frequency of bus services linking Bodelwyddan KSS and key settlements per hour.	No increase in frequency of bus services linking Bodelwyddan KSS and key settlements in accordance with the timetable agreed by developers and service

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
		Provision of new cycle and pedestrian routes/facilities as part of the Bodelwyddan KSS to provide connectivity between residential and employment / community facility areas	Number/length of new cycle and pedestrian routes/facilities as part of the Bodelwyddan KSS	operators No cycle and pedestrian routes/facilities before the occupation of the first dwelling on the KSS
Objective 7: Welsh Language	RD 5	No significant harm to the Welsh character or language balance of the community.	Results of Community Linguistic Statements or Assessments submitted	Any development permitted where the Community Linguistic Statement or Assessment concludes Welsh character or language would be harmed where such harm is not outweighed by other considerations.
		An increase in Welsh or bilingual signage and Welsh place names.	Use of Welsh or bilingual signage and the use of Welsh place names in new development.	Any development where new streets or places are created not including Welsh names or bilingual signage
		Prepare and adopt Supplementary Planning Guidance regarding the Welsh language.	Preparation and adoption of SPG.	Adoption of SPG within 12 months of the adoption of the LDP.
Objective 8: Public Open Space	BSC 11	Ensure new developments make an adequate contribution to public open space provision.	Number of units granted where the open space requirements are met.	1 planning permission granted where the open space requirements are not met, except where

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
				justified in line with policy.
		Protect allocated open space from development.	Amount of allocated open space lost to development.	1 planning permission granted for development on open space, except where justified in line with policy.
Objective 9 Minerals	PSE15	Safeguard high quality resources of minerals, including limestone, sand and gravel, Denbigh gritstones, igneous and volcanic deposits from development that would result in permanent loss or hinder extraction.	Area of mineral lost to development.	Loss of identified mineral except where justified in line with the policy
	PSE16	Maintain a buffer between sensitive development and quarries.	Number of planning permissions granted for sensitive development in buffer zones.	One or more planning permission granted for sensitive development within a buffer zone.
	PSE17	Contribute to the regional demand for aggregates.	Tonnes of sand & gravel extraction permitted. Maintain a 10 year landbank of hard rock	No extraction permitted by 2017. Landbank falls below 10 years

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
Objective 10: Waste	VOE 7	Denbighshire will contribute towards the regional need for waste management capacity.	The percentage of waste management capacity permitted as a percentage of the total capacity required, as identified in the North Wales Regional Waste Plan 1 st Review.	Less than 50% capacity permitted by 2015, either within or outside of the County delivered in partnership with other north Wales local authorities, as proportion of capacity required by Denbighshire.
Objective 11: Energy	VOE 10	Progress towards the TAN 8 target for onshore wind energy.	The capacity of renewable energy developments (MW) (installed or permitted but not yet operational) inside the Strategic Search Area by type per annum (in collaboration with CCBC).	Not achieving the target set out in TAN 8, National Energy Policy or PPW by 2015.
	VOE 10	Prepare and adopt Supplementary Planning Guidance regarding renewable energy.	Preparation and adoption of SPG.	Supplementary Planning Guidance not adopted by 2013
	VOE 9	Increase the capacity of renewable energy developments in the County.	Number and type of renewable and low carbon energy schemes permitted per annum.	Less than 1 development per year over 3 consecutive years.
Objective 12: Infrastructure	BSC 3	Secure contributions towards infrastructure to meet the additional social, economic, physical and/or environmental infrastructure requirements arising from development.	Number of planning obligations secured.	Failure to secure contributions where necessary.

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
	BSC 12	Prevent the loss of community services or facilities.	Number of services or facilities lost through change of use.	Loss of any community facility unless justified in line with policy.
	VOE 6	To ensure new development does not increase risk of flooding.	% of new developments with Sustainable Drainage Systems (SuDS) incorporated, or similar solution, where suitable.	Failure to secure any or any successful challenges to the requirement, where suitable.
		To ensure major development proposals make efficient use of water resources and without detriment to the environment.	Number of major development proposals developed in accordance with by a Water Conservation Statement.	Failure to secure any or any successful challenges to the requirement, where suitable.
		Prepare and adopt Supplementary Planning Guidance regarding water management.	Preparation and adoption of SPG.	Guidance not adopted by 2015.
Objective 13: Mixed use Development	BSC 5	Prepare and adopt Supplementary Planning Guidance regarding the Key Strategic Site.		Supplementary Planning Guidance not adopted by the end of 2013.
		Deliver the Key Strategic Site	Planning permission granted for 1715 dwellings, 26 hectares of employment land and associated facilities and infrastructure.	Planning permission not granted by the end of 2013
Objective 14: Design -	RD 1	Respect site and surroundings and ensure sustainable land take.	Average density of residential development permitted.	Average density of residential development permitted falling below 35 dwellings per hectare unless justified by

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
				policy.
		Produce supplementary planning guidance regarding design.		Supplementary planning guidance not produced by the end of 2013.
	BSC 1	Create mixed and balanced communities	The provision of a range of house sizes, types and tenure to reflect local need.	No developments completed with a range of house sizes, types and tenure to reflect local need.
	BSC 7	Prevent the creation of Houses in Multiple Occupation	Number of HMOs granted planning permission.	1 or more HMOs granted planning permission
	VOE 1	Direct inappropriate development away from the flood plain.	Amount of development permitted in C1 and C2 flood plain areas not meeting all TAN 15 tests (paragraph 6.2 i-v).	1 or more granted planning permission.
Objective 15: Tourism.	PSE 1	Contribute towards the visitor economy.	Number of tourism facilities lost through change of use	Loss of any tourism facility except where justified in line with policy.
		Contribute towards the visitor economy.	Number of planning permissions granted and completed in accordance with policies PSE1 criteria iii), PSE 11, PSE 12 and PSE 14	No planning permissions granted over 3 years in accordance with the named policies
	VOE 3	To protect the designation of the World Heritage Site, its Outstanding	Prepare joint SPG.	Joint SPG not adopted by the end of 2013

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
		Universal Value and setting. To protect and enhance the World Heritage Site Buffer Zone character.	Prepare joint SPG.	Joint SPG not adopted by the end of 2013
Objective 16: Areas of Protection-	VOE 5	Protect statutory designated sites of nature conservation from adverse affects caused by new development.	Number of developments that have an adverse effect on statutory designated sites of nature conservation.	No development proposal granted planning permission that would have an adverse effect on statutory designated sites of nature conservation and unless accepted by Natural Resources Wales as being necessary for management of the designated site.
National policy objectives		Delivering new housing on allocated sites	Number of planning permissions granted on allocated sites, as a % of total development permitted (hectares and units).	
		Maintaining the vitality and viability of town centres	Amount of major retail, office and leisure development (sqm) permitted in town centres expressed as a percentage of all major development permitted.	

LDP Objective	LDP Policy	Policy Target	Indicator	Trigger Level
		Amount of residential development meeting the Code for Sustainable Homes Level 3 and obtaining 6 credits under Ene 1 – Dwelling Emissions Rate	All new housing developments to meet this National requirement.	One new development not meeting national requirements.
		Amount of non residential development over 1,000m ² on a site over 1ha meeting BREEAM 'very good' standard and achieving mandatory credits for Excellent under issue Ene 7 – Reduction of CO2 Emissions.	All new non residential developments to meet this National requirement.	One new development not meeting national requirements.

APPENDIX 1: LINKS WITH NATIONAL PLANNING POLICIES

Policy Issue	Planning Policy Wales (Edition 5 November 2012)	Technical Advice Note
Theme: Respecting Distinctiveness		
Conservation and enhancement of the countryside	4.6.4	12
New building in the open countryside	4.7.8	12
Scale, siting and appropriate building materials in areas recognised for their landscape, townscape or historic value	4.11.10	12
Early consultation on design matters	4.11.13	12
Development control in green barriers	4.8.5, 4.8.12, 4.8.14 – 4.8.18	-
Material planning considerations and rejection of poor design	4.11.9	12
Control of outdoor advertisements	3.5	07
Planning conditions	3.6	07
Planning for sustainable buildings	4.12	12, 22
Theme: Building Sustainable Communities		
Securing the provision of infrastructure	4.4.3	-
Infilling or minor extensions to rural settlement	4.7.8	6
Preference for use of previously developed land	4.9.1	-
Coastal development	5.6.3, 5.7.3, 5.7.4	14
Coastal defence works	5.7.5	14
Integration of new housing with existing settlement pattern	9.3.1	-
Tandem development	9.2.13	-
Housing in open countryside	9.2.22, 9.3.6	6
Infill development	9.3.2 – 9.3.4	-
Expansion of small towns and villages	9.3.2	-
Housing in the vicinity of industrial uses	9.3.2	-
Affordable housing as a material consideration	9.3.5	2
Rural enterprise dwellings	9.3.6 – 9.3.10	6
Protection of open spaces	11.1.11	16

Protection of playing fields	11.1.12	16
Capacity of existing infrastructure	12.1.7	-
Water supply and sewerage	12.3.1, 12.4.1, 12.4.2, 12.4.3	15
Flood risk	13.2.1	15
Development proposals should seek to reduce flood risk	13.2.4	15
Hard engineered flood defences; sustainable approaches to flood risk	13.3.1	15
Unobstructed floodplains	13.3.2	15
Justification of new development in areas of high flood hazard	13.4.1	15
Natural Resources Wales flood warning service	13.4.4	15
Guiding development to minimise risks from land instability and contamination	13.5.1	15
Investigating and overcoming land contamination and instability	13.7.1-2, 13.9.1-2	21
Theme: Promoting a Sustainable Economy		
Sustainable economic development	7.1.3, 7.1.5	-
Employment Sites	7.1.4, 7.1.5	-
Protecting classes B1-B8 from inappropriate development	7.5.1	-
Employment developments within or adjoining rural settlements	7.3.2	6
Development considerations for economic development	7.6.1	-
Agricultural development proposals	7.6.5	6
Locating retail and other services in existing centres	10.1.2	4
New regional shopping centres	10.2.2	-
Mixed use development	10.2.4	-
Uses best located in centres – key factors	10.3.1, 10.3.16	-
Uses best located in centres – needs	10.3.2	-
Major new retail proposals – incremental and cumulative effects	10.3.6	-
Retention of food shopping and essential services etc in	10.3.7	-

centres		
Out-of-centre food supermarkets	10.3.8	-
Change of use to/from local shops and village shops, and to/from public houses	10.3.9	4
Shops ancillary to uses, e.g. farm shops	10.3.10	6
Change in nature of edge of centre and out-of-centre retail developments	10.3.11	-
Bulky goods	10.3.12	-
Factory outlets	10.3.13	-
Warehouse clubs	10.3.14	-
Amusement centres	10.3.15	-
Inappropriate retail allocations	10.3.16	-
Retention of allocated retail sites	10.3.17	-
Retail development on land designated for other uses	10.3.18	-
Sympathetic rural tourism	11.1.7	-
Maintenance and accessibility of areas and facilities	11.1.8	16
Provision of green routes and rights of way	11.1.8	16
Provision on previously-developed land; re-use of buildings	11.1.9	16
Protection of open spaces	11.1.11	16
Protection of playing fields	11.1.12	16
Protection of Rights of Way	11.1.13	16
Recreational and tourist development control considerations	11.3.1 – 11.3.3	16

APPENDIX 2: How the Local Development Plan addresses key issues in Denbighshire

The table below sets out the key issues facing the County, related Local Development Plan objectives and the relevant policies in the Plan which contribute towards tackling those issues and meeting the objectives.

HOW THE LOCAL DEVELOPMENT PLAN ADDRESSES KEY ISSUES IN DENBIGHSHIRE		
KEY ISSUES	LOCAL DEVELOPMENT PLAN OBJECTIVES	LOCAL DEVELOPMENT PLAN IMPLEMENTATION
There is a lack of housing, including affordable housing, for local needs to meet the predicted growth in population.	LDP Objective 1: Population and Community LDP Objective 13: Mixed Use Development	Theme: Building Sustainable Communities Policy BSC1 Growth Strategy for Denbighshire Policy BSC2 Brownfield Development Priority Policy BSC 3 Securing infrastructure in new developments Policy BSC4 Affordable Housing Policy BSC5 Key Strategic Site – Bodelwyddan Policy BSC6 Local connections affordable housing in hamlets Policy BSC8 Rural exception sites Policy BSC9 Local connections affordable housing within small groups or clusters Policy BSC10 Gypsy & traveller sites Theme: Promoting a Sustainable Economy Policy PSE1 North Wales Coast Strategic Regeneration Area Policy PSE4 Re-use and adaptation of rural buildings in open countryside
There has been an historical lack of growth in rural areas to sustain facilities and provide homes for local people.	LDP Objective 1: Population and Community LDP Objective 3: Economy and Jobs LDP Objective 15: Tourism	Theme: Building Sustainable Communities Policy BSC1 Growth Strategy for Denbighshire Policy BSC2 Brownfield Development Priority Policy BSC3 Securing infrastructure in new developments Policy BSC4 Affordable Housing Policy BSC5 Key Strategic Site – Bodelwyddan Policy BSC6 Local connections affordable housing in hamlets Policy BSC8 Rural exception sites Policy BSC9 Local connections affordable housing within small groups or clusters Theme: Promoting a Sustainable Economy Policy PSE2 Land for employment uses Policy PSE4 Re-use and adaptation of rural buildings in open countryside Policy PSE5 Rural economy

		<p>Policy PSE9 Local shops and services</p> <p>Policy PSE12 Chalet, static and touring caravan and camping sites</p> <p>Policy PSE14 Outdoor activity tourism</p>
<p>There is a lack of serviced employment land to improve economic prosperity.</p>	<p>LDP Objectives 2 & 3: Economy and Jobs</p> <p>LDP Objective 13: Mixed Use Development</p>	<p>Theme: Promoting a Sustainable Economy</p> <p>Policy PSE1 North Wales Coast Strategic Regeneration Area</p> <p>Policy PSE2 Land for employment uses</p> <p>Policy PSE3 Protection of employment Land and Buildings</p>
<p>Rhyl is currently underperforming as a sub-regional retail centre, other market town and village centres are vulnerable to increased competition from other centres outside of the County.</p>	<p>LDP Objective 4: Retail</p> <p>LDP Objective 15: Tourism</p>	<p>Theme: Promoting a Sustainable Economy</p> <p>Policy PSE1 North Wales Coast Strategic Regeneration Area</p> <p>Policy PSE6 Retail economy</p> <p>Policy PSE7 Proposals for new retail development</p> <p>Policy PSE8 Development within town centres</p> <p>Policy PSE9 Out of centre retail development</p> <p>Policy PSE10 Local shops and services</p> <p>Policy PSE13 Coastal tourism protection zone</p>
<p>Some areas in the north of the County are experiencing high levels of multiple deprivation.</p>	<p>LDP Objective 1: Population and Community</p> <p>LDP Objective 3: Economy and Jobs</p> <p>LDP Objective 13: Mixed Use Development</p> <p>LDP Objective 15: Tourism</p>	<p>Theme: Building Sustainable Communities</p> <p>Policy BSC1 Growth Strategy for Denbighshire</p> <p>Policy BSC2 Brownfield Development Priority</p> <p>Policy BSC3 Securing infrastructure in new developments</p> <p>Policy BSC4 Affordable Housing</p> <p>Policy BSC5 Key Strategic Site – Bodelwyddan</p> <p>Theme: Promoting a Sustainable Economy</p> <p>Policy PSE1 North Wales Coast Strategic Regeneration Area</p> <p>Policy PSE2 Land for employment uses</p> <p>Policy PSE3 Protection of employment land and buildings</p> <p>Policy PSE6 Retail economy</p> <p>Policy PSE7 Proposals for new retail development</p>
<p>Access to transport - away from the coast and the A55 corridor both public and private transport networks are relatively poor.</p>	<p>LDP Objectives 5 & 6: Transport</p> <p>LDP Objective 13: Mixed Use Development</p>	<p>Theme: Building Sustainable Communities</p> <p>Policy BSC1 Growth Strategy for Denbighshire</p> <p>Policy BSC3 Securing infrastructure in new developments</p> <p>Theme: Achieving Sustainable Accessibility</p> <p>Policy ASA1 New transport infrastructure</p> <p>Policy ASA2 Provision of sustainable transport facilities</p>
<p>Welsh language</p>	<p>LDP Objective 7:</p>	<p>Theme: Respecting Distinctiveness</p>

<p>and culture may be threatened by some types and scale of development.</p>	<p>Welsh Language</p>	<p>Policy RD5 The Welsh Language & the social & cultural fabric of communities</p>
<p>Infrastructure issues across the County, i.e. road, sewerage and waste management facilities, lack of open space and community facilities.</p>	<p>LDP Objective 12: Infrastructure LDP Objective 10: Waste LDP Objective 13: Mixed Use Development</p>	<p>Theme: Respecting Distinctiveness Policy RD1 Sustainable Development & Good Standard Design Theme: Building Sustainable Communities Policy BSC1 Growth Strategy for Denbighshire Policy BSC2 Brownfield Development Priority Policy BSC3 Securing infrastructure in new developments Policy BSC5 Key Strategic Site – Bodelwyddan Policy BSC11 Recreation & open space Policy BSC12 Community facilities Theme: Promoting a Sustainable Economy Policy PSE2 Land for employment uses Theme: Valuing Our Environment Policy VOE1 Key areas of protection Policy VOE6 Water management Policy VOE7 Locations for waste management Policy VOE8 Waste management outside development boundaries Policy VOE9 On-shore wind energy Policy VOE10 Renewable energy technologies Theme: Achieving Sustainable Accessibility Policy ASA1 New transport infrastructure Policy ASA2 Provision of sustainable transport facilities</p>
<p>There is a high quality built and natural environment in Denbighshire which should be protected and enhanced. The opportunities to enhance and develop environmental goods and services should also be explored.</p>	<p>LDP Objective 8: Public Open Space LDP Objective 14: Design LDP Objective 16: Areas of Protection</p>	<p>Theme: Respecting Distinctiveness Policy RD1 Sustainable Development & Good Standard Design Policy RD2 Green Barriers Policy RD3 Extensions, Alterations to Dwellings Policy RD4 Replacement of Existing Dwellings Theme: Building Sustainable Communities Policy BSC2 Brownfield Development Priority Theme: Promoting a Sustainable Economy Policy PSE17 Future mineral extraction Theme: Valuing Our Environment Policy VOE1 Key areas of protection Policy VOE2 Area of Outstanding Natural Beauty and Area of Outstanding Beauty Policy VOE3 Pontycysyllte Aqueduct and Canal World Heritage Site Policy VOE4 Enabling development</p>

		<p>Policy VOE5 Conservation of natural resources Policy VOE8 Waste management outside development boundaries Policy VOE9 On-shore wind energy Policy VOE10 Renewable energy technologies Theme: Achieving Sustainable Accessibility Policy ASA1 New transport infrastructure Policy ASA2 Provision of sustainable transport facilities</p>
<p>Areas of flood risk exist across the County; the coastal areas are particularly affected.</p>	<p>LDP Objective 14: Design LDP Objective 16: Areas of Protection</p>	<p>Theme: Respecting Distinctiveness Policy RD1 Sustainable Development & Good Standard Design Theme: Building Sustainable Communities Policy BSC1 Growth Strategy for Denbighshire Theme: Valuing Our Environment Policy VOE1 Key areas of protection</p>
<p>Climate change - responses are required to address its potential impacts both in Denbighshire and on a wider scale.</p>	<p>LDP Objective 5: Transport LDP Objective 11: Energy LDP Objective 12: Infrastructure LDP Objective 14: Design</p>	<p>Theme: Respecting Distinctiveness Policy RD1 Sustainable Development & Good Standard Design Theme: Building Sustainable Communities Policy BSC1 Growth Strategy for Denbighshire Policy BSC2 Brownfield Development Priority Theme: Valuing Our Environment Policy VOE9 On-shore wind energy Policy VOE10 Renewable energy technologies Theme: Achieving Sustainable Accessibility Policy ASA1 New transport infrastructure Policy ASA2 Provision of sustainable transport facilities Policy ASA3 Parking standards</p>

APPENDIX 3: Glossary

Adoption	The point where the Local Development Plan starts to be used
Affordable Housing	Housing provided for those who cannot afford to rent or purchase on the open market. This falls into two categories: 1. <i>social rented housing</i> is provided by the local authority or registered social landlords, where rent levels have to fall in line with the Welsh Government's guideline and benchmark rents. 2. <i>Intermediate housing</i> , where rents and purchase prices are adjusted to be below market levels but above social rented housing.
Allocation	Land that will be made available for development. This will be identified in the Proposals Map in the Local Development Plan.
Annual Monitoring Report	A report that will be produced once a year to continually assess the progress and effectiveness of the Local Development Plan after it has been adopted.
Blue Corridor	Green/blue corridors are a network of blue (water) and green open spaces and corridors within the urban environment to serve as an integral element of the drainage infrastructure and floodway for flood conveyance. This can help tackle current and future problems of flooding and environmental degradation of water bodies.
Climate Change	A long-term significant change in weather patterns in a region or across the planet. Although these changes occur naturally, there is evidence that in recent years they have come about as a result of human activity.
Community Involvement Scheme	This document explains how the local authority intends to involve developers, the public and interested groups in the preparation of the Local Development Plan.
Community Strategy	These are documents that show how the local authority plans to deliver the social, environmental and economic aspirations of the community.
Consultation	A process where comments are invited on a topic or a draft document.
Deposit Plan	A formal stage of the production of the Local Development Plan, which is designed to allow organisations and individuals to comment, support or make complaints about specific policies and proposals in the Plan.
Development	Defined in the Town and Country Planning Act 1990 as "the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or land."
Development boundary	A line drawn around a town or village which distinguishes the countryside from built-up areas and within which further housing development is likely to be supported.
Dwelling	A self-contained house or apartment occupied by a single person or group of people living together as a family

Employment Land	Land that is occupied by buildings where people work eg: offices, factories, warehouses or laboratories. Does not contain dwellings or shops
Engagement	The process of getting organisations and individuals interested or involved in the plan's development
Heritage Assets	Structures and open spaces considered to be of special historic, archaeological, architectural or artistic interest
Key Diagram	A map that illustrates what effects the main planning Local Development Plan policies will have on Denbighshire and the surrounding area
Local Development Plan (LDP)	A land use plan that sets out what can be built and where within the Local Planning Authority boundary. The plan follows an overall strategy designed to realise the vision for the local area. Local Development Plans are statutory for every Local Planning Authority in Wales under part six of the Planning and Compulsory Purchase Act 2004.
Local Planning Authority (LPA)	The body that is responsible for planning decisions in its area. Denbighshire County Council is the local planning authority for the plan area.
Listed Buildings	Buildings that have been selected by CADW for their historical or architectural importance. Listed buildings are subject to special regulations that affect any adjustments made to the architecture.
Mitigation	Action taken to reduce the significance of adverse effects
Preferred Strategy	The preferred strategy is the first formal stage of development of the Local Development Plan. It includes the main vision, objectives, key sites and overarching policies. The preferred strategy does not include any further site-specific, or detailed, policies.
Previously used land/ brownfield land	Land which is or was occupied by a permanent structure and infrastructure. It includes areas around buildings such as gardens, but not parks, agricultural or forestry buildings or land on which the remains of buildings have blended into the landscape over time. A fuller definition of previously used land can be found in the Welsh Government's document "Planning Policy Wales"
Renewable energy	Energy which comes from a source which is not significantly depleted by its use. Examples include energy derived from the wind, water, tidal power or combustion or decomposition of waste materials.
Rural exception site	Small scale housing site, within or adjoining existing rural settlements for the provision of affordable housing to meet local needs, which would not otherwise be allocated in the Local Development Plan.
Supplementary Planning Guidance (SPG)	Detailed guidance on policy issues. SPG must relate to development plan policies and are relevant in deciding planning applications.
Sustainability Appraisal	A tool for assessing policies to ensure that they reflect sustainable development objectives (ie social, environmental and economic factors).

Sustainable development	The definition drawn up by the Commission on the Environment and Development in 1987: Development that meets present needs without compromising the ability of future generations to achieve their own needs and aspirations.
Technical Advice Notes (TANs)	Technical Advice notes provide guidance issued by the Welsh Government
Wales Spatial Plan	A Plan prepared and approved by the Welsh Government which sets out a strategic framework to guide future development. Under the Planning and Compulsory Purchase Act 2004 a local planning authority must have regard to this plan in preparing its Local Development Plan.
World Heritage Site	A UNESCO World Heritage Site is a site (which could be a building, monument, natural feature etc) which is on a list maintained by the International World Heritage Programme administered by the UNESCO World Heritage Committee. The programme catalogues, names and conserves sites of outstanding cultural or natural importance to the common heritage of humanity.
