

Heading:

46/2013/0802
Land at Bryn Gobaith
St Asaph

13

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

 Application Site

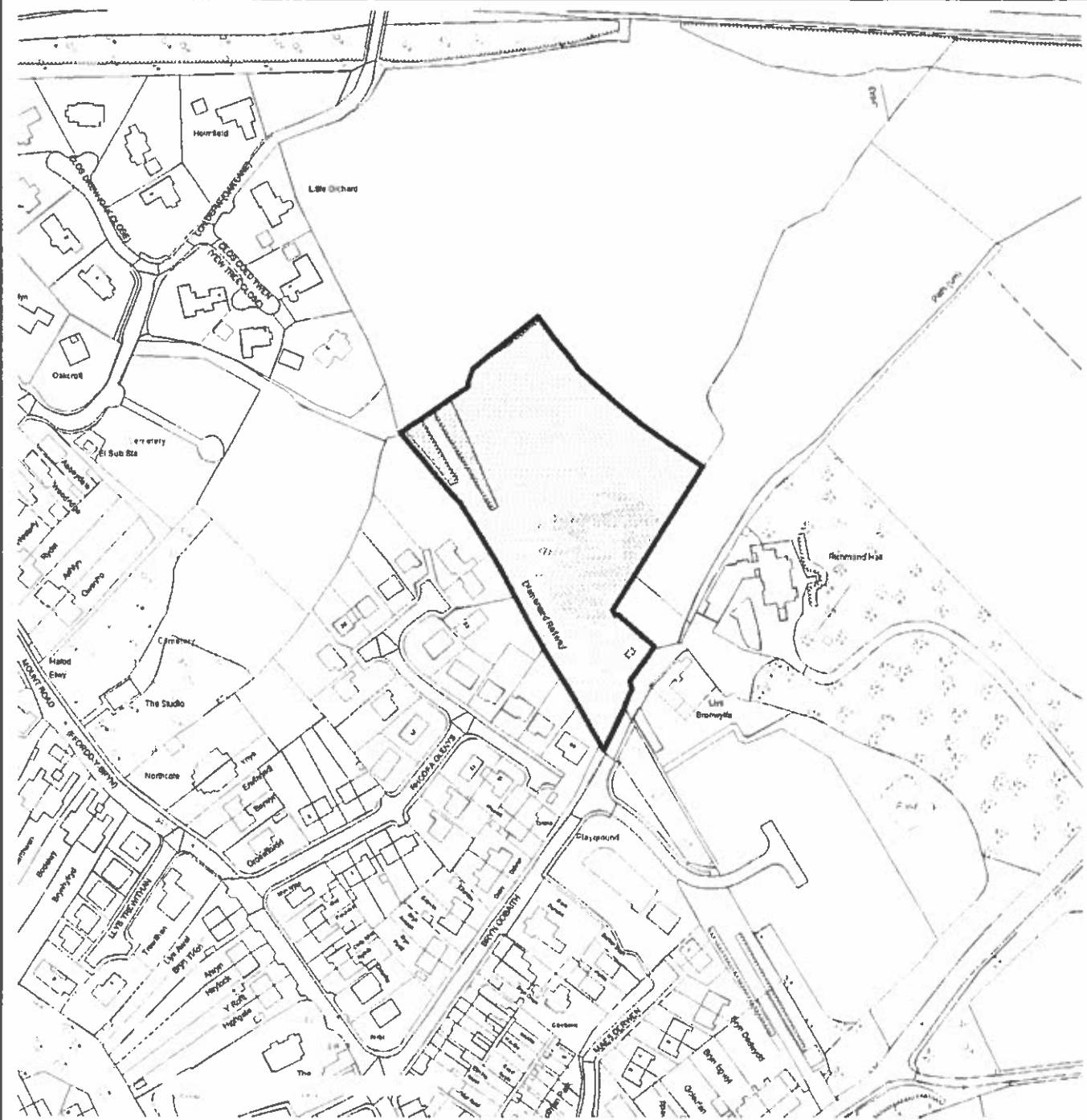


Date 29/8/2013
Centre = 303954 E 374705 N

Scale 1/2500

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

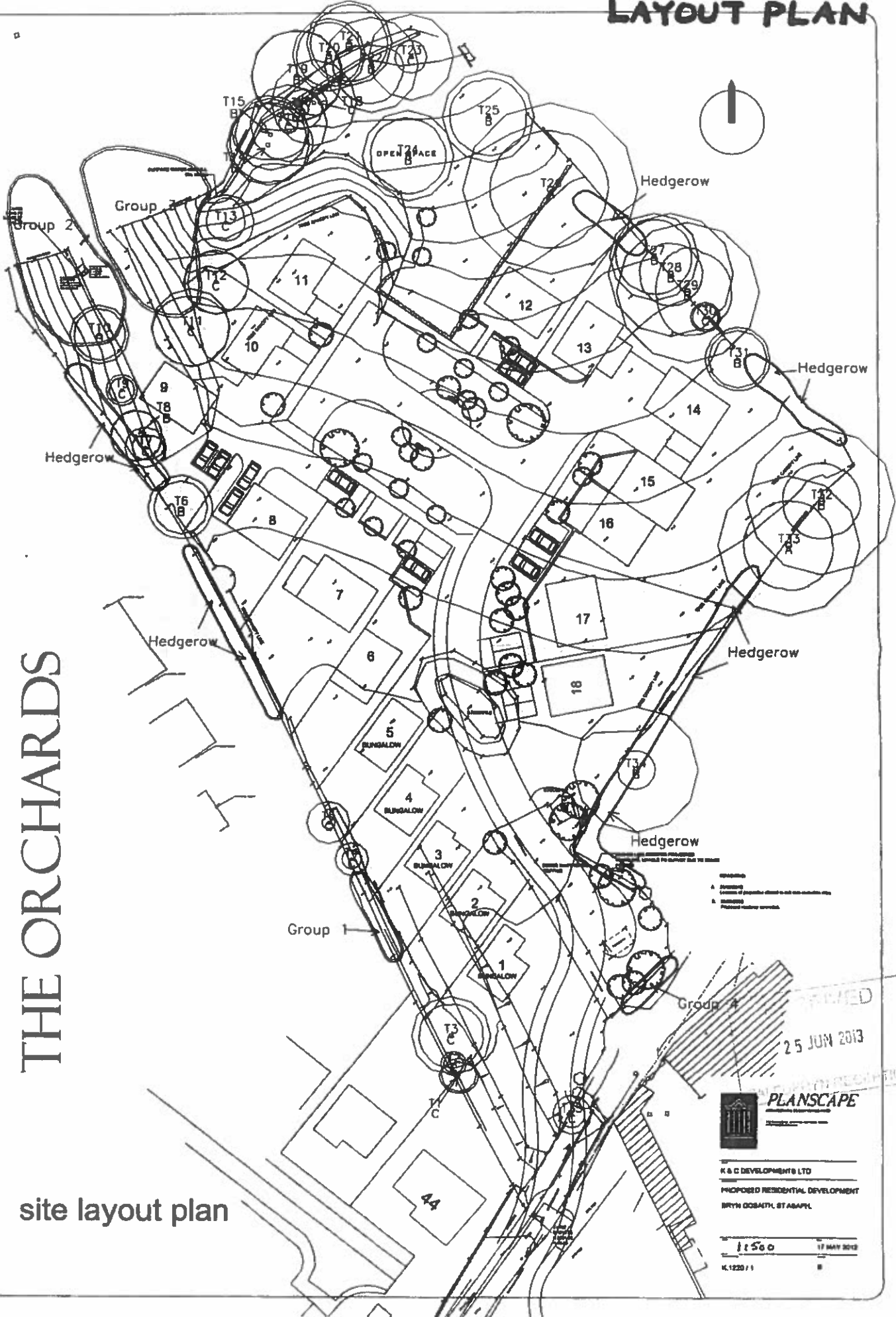
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PLANSCAPE



THE ORCHARDS

site layout plan

- Legend for site features and boundaries.

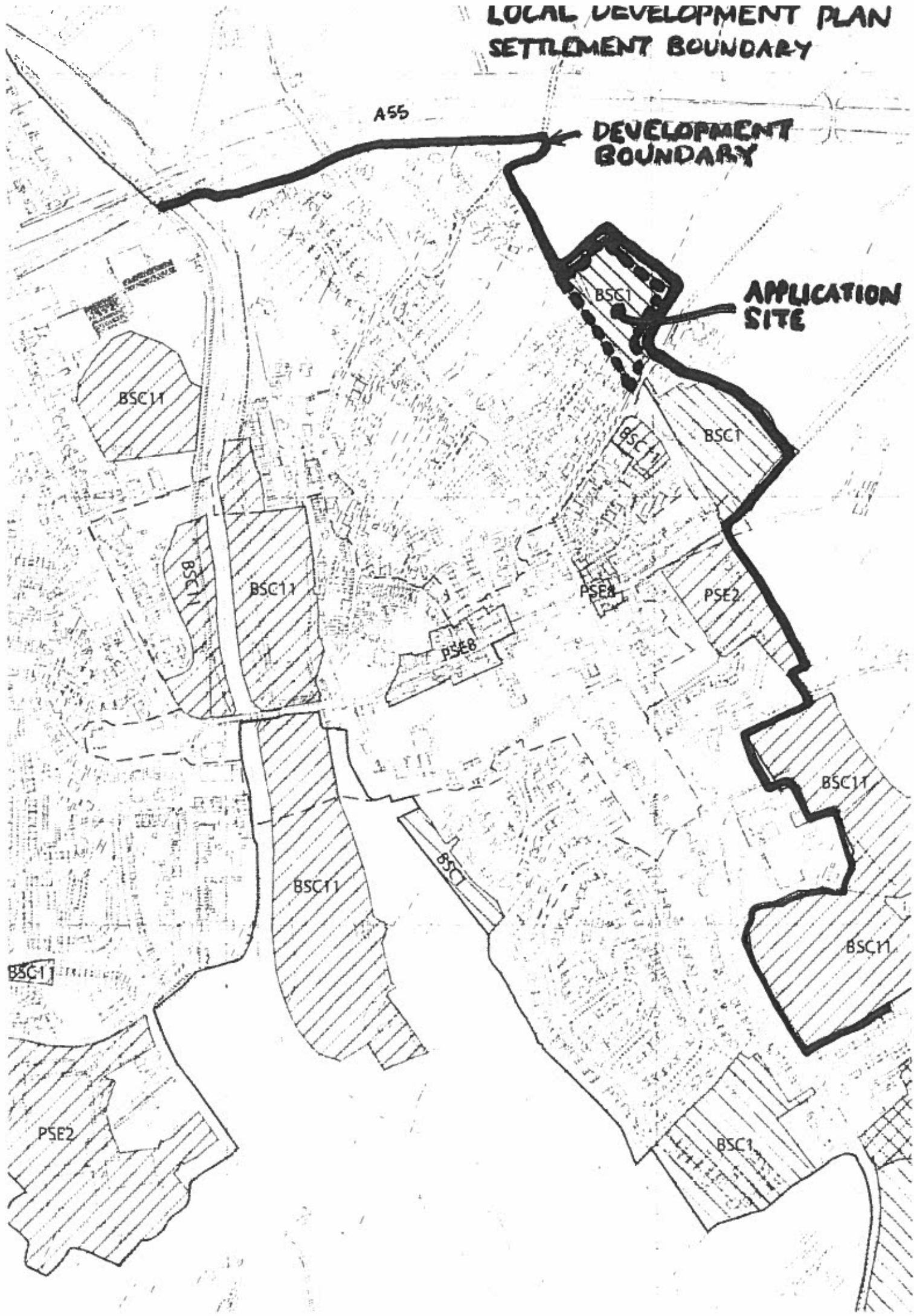
APPROVED
25 JUN 2013



PLANSCAPE
K & C DEVELOPMENTS LTD
PROPOSED RESIDENTIAL DEVELOPMENT
BYRN OGBATH, ST ABAPPL

1:500 17 MAY 2013
K.1220 / 1

LOCAL DEVELOPMENT PLAN SETTLEMENT BOUNDARY



ITEM NO: 13
WARD NO: St Asaph East
APPLICATION NO: Councillor Dewi Owens
 46/2013/0802/ PO
PROPOSAL: Development of 1.1 hectares of land for residential purposes (Outline application including access)
LOCATION: Land at north side of Bryn Gobaith Bryn Gobaith St Asaph
APPLICANT: Mr & Mrs C White
CONSTRAINTS: PROW
PUBLICITY UNDERTAKEN: Site Notice - Yes
 Press Notice - Yes
 Neighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:
ST ASAPH CITY COUNCIL

"OBJECT to such proposed development, the grounds for objection are:-

Over-intensification of development of the area causing unacceptable increase in traffic flow in the area - Members are aware that the adjoining Mount Road already suffers from a traffic flow in excess of 1,000 vehicle movements per day, Bryn Gobaith itself is effectively a 'one way street' because of unavoidable on street parking. They are also aware that there are proposals to modify parking restrictions in the Mount Road area, but consider that such proposals would not relieve the inevitable increase in traffic flow from the proposed development.

In addition Members consider there would be an unacceptable intrusion into the area adjoining an area of outstanding natural beauty [i.e. Vale of Clwyd], as such development would be visible from the A55, and could be classed as the proverbial 'blot on the landscape'

Concern was also expressed at the effect upon both natural vegetation and wildlife within the area of proposed development; also the effect upon the existing overstretched drainage/sewage systems."

NATURAL RESOURCES WALES

No objection subject to the inclusion of conditions relating to surface water drainage and great crested newt mitigation details.

DWR CYMRU WELSH WATER

No objections subject to the inclusion of a condition requiring the approval of details relating to foul, surface water and land drainage discharges, and an advisory note relating to the presence and location of the public sewer.

HEAD OF TRANSPORT AND INFRASTRUCTURE
Highways Officer

No objection subject to the inclusion of conditions requiring details of the internal estate road, highway improvements at the Mount Road/Bryn Gobaith Junction and traffic calming on Mount Road and Bryn Gobaith, parking and turning details and details of site compound, traffic management scheme and vehicle

wheel washing facilities, hours and days of operation and the management and operation of construction vehicles.

Footpaths Officer

No objection, Public Footpath 7 abuts the development area and should be safeguarded.

Senior Highways Engineer (Drainage)

No objection subject to conditions requiring investigation of a culverted watercourse, and a condition requiring details of a surface water drainage scheme.

Senior Biodiversity Officer

No objections in principle subject to the inclusion of a condition relating to great crested newt mitigation

Affordable Housing Officer

No objection, the proposal requires 10% on site affordable housing provision in accordance with the Local Development Plan.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mr George Williams, 61 Bishops Walk, St. Asaph
W. Williams, Bryn Onnen, Bryn Gobaith, St. Asaph
Mrs. L. Crierie, Bryn Ffydd, Bryn Gobaith, St. Asaph
R. & A. Williams, 42, Rhodfa Glenys, St. Asaph
R.D. Owen, Haulfre, Bryn Gobaith, St. Asaph
J. & S. Adams, Newgrove House, 2, Yew Tree Close, St. Asaph
Mr. Eugebe Grube, 28 Rhodfa Glenys, St. Asaph
G.H. Davies, 32, Rhodfa Glenys, St. Asaph
Ms. P. Hodkin, 44, Rhodfa Glenys, St. Asaph
Mr. G. Jones, Richmond Hallk, Chester St., St. Asaph
C. Lamberton, 30, Rhodfa Glenys, St. Asaph
P. Hodkin, 44, Rhodfa Glenys, St. Asaph
A. Dixon, 1, Rhodfa Glenys
A.. Hodgkinson, 4, Rhodfa Glenys
P. Pierce, 18, Rhodfa Glenys
Mrs. J. Williams, 20, Rhodfa Glenys
G. J. Blythin, 24, Rhodfa Glenys
L. Owen, 26, Rhodfa Glenys
P. Humphreys, 16, Rhodfa Glenys
S. L. Davies, 12, Rhodfa Glenys
Owner/Occupier, 7, Rhodfa Glenys
A. C. Davies, 22, Rhodfa Glenys
G. T. Craven, 9, Rhodfa Glenys
C. R. Williams, 3, Rhodfa Glenys
Owner/Occupier, Coed Derw, Mount Road
B. Pendleton, Iffley, Mount Road
R. Jones, Y Rofft
C. Marriott, 32, Roe Parc
H. Mullins, Berwyn, Mount Roada
S. J. Mullins, Berwyn, Mount Road
J. Foster, 2, Bryn Coed, Mount Road
C. J. Foster, 2, Bryn Coed, Mount Roada
B. M. Smith, Rydal, Mount Road
S. H. Smith, Rydal, Mount Road
M. Owen, Alwyn, Mount Road
D. Owen, Alwyn, Mount Road
L. Parkes, Llys Awel, Mount Road
B. Parkes, Llys Awel, Mount Road
Mr. & Mrs. G. Hardy, 38, Rhodfa Glenys, St. Asaph

Summary of planning based representations in objection:

Highway Considerations

Mount Road is already an area of great concern with regard to safety and traffic congestion, particularly the entrance of Bryn Gobaith where pedestrians (a high number of which are children) have no option but to cross the road at this precise location to access the only available pedestrian highway. Under no circumstances should the generation of even more traffic be introduced which would certainly be the case should this development be allowed;

Safety of many young children visiting the play area in Bryn Gobaith will be jeopardised due to increased traffic passing this area to access the new development

There are currently parking issues on Bryn Gobaith with a vast number of cars parking on both sides of the road.

Planning permission for residential development has already been granted on Bronwylfa Nurseries which is opposite the site, the traffic from this should be considered as it does not show on current surveys.

Concerns relating to the possible introduction of speed bumps as they increase noise and cause movements in the footings of buildings when larger vehicles such as bin wagons and delivery trucks pass over them.

Wildlife

There is an abundance of wildlife in this specific piece of land whose habitation will be completely destroyed. Additionally, for many years, local residents and visitors have enjoyed walking this particular piece of land due to the outstanding scenery which will obviously disappear.

Residential Amenity

The siting of the properties near dwellings on Rhodfa Glenys would result in loss of privacy / 2 storey dwellings would be out of character

Visual Impact

The siting of the development would be intrusive and roof lines would be clearly visible

Impact on local services

Additional dwellings and subsequent increase in residents will greatly impact on local schools, GP surgeries and hospitals;

General Comments

Concerns over the loss of another green area and the amount of housing being built/proposed for building in St Asaph –HM Stanley, land opposite HM Stanley, St Winifreds and Bronwylfa Nurseries.

EXPIRY DATE OF APPLICATION: 19/8/2013

REASONS FOR DELAY IN DECISION

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks outline planning permission for residential development of 1.1 hectares of land, with only means of access included for consideration. All other matters are reserved for future approval.
- 1.1.2 The site is located within the town's development boundary in the Local Development and lies immediately to the north east of existing dwellings at Rhodfa Glenys, and includes along its western boundary the former Rhyl – Denbigh railway line. (See the plan at the front of the report).
- 1.1.3 The application documents include an illustrative layout plan showing ideas for a development of 18 dwellings, accessed from an 'extended' Bryn Gobaith at the southern end of the site.

- 1.1.1 The supporting document includes a Planning, Design and Access Statement, a Code for Sustainable Homes Pre-assessment, a Highways Assessment Technical note, a tree survey, ecological assessment and a Linguistic Impact Assessment.

The main points of relevance to the proposals in the supporting documents are:

In the Planning, Design, and Access Statement:

- The application site is allocated for housing within the adopted Local Development Plan and therefore the principle of development is acceptable.
- 10% Affordable housing provision is offered in accordance with Policy BSC 4
- Provision of open space will be made in accordance with Policy BSC 11
- A Community Linguistic Statement has been submitted in accordance with Policy RD 5; the proposal would have no material impact on the needs and interests of the Welsh language
- There are no other planning policy conflicts

The other documents confirm:

- a Code for Sustainable Homes Level 3 (plus 1 credit under ENE 1) could be achieved.
- An access can be easily and satisfactorily achieved to accord with current design standards; and the local highway network has the capacity to accommodate the additional traffic.
- Direct impact on existing plants and habitat would be minor, and there are no known issues regarding protected species.

1.2 Description of site and surroundings

- 1.2.1 The application site comprises 1.1ha of grazing land on the eastern side of St. Asaph. The site is on the north eastern boundary of development at Rhodfa Glenys. It is roughly rectangular in shape and is relatively level, but slopes downwards slightly from west to east.
- 1.2.2 To the north and east of the site are open fields, and to the south and west is primarily residential development, with the dwellings on Rhodfa Glenys to the west and Bryn Gobaith to the south. The highway serving Bryn Gobaith leads to the site, where there is currently an entrance from a gated field access.
- 1.2.3 The site is bounded by mature hedgerow and trees.

1.3 Relevant planning constraints/considerations

- 1.3.1 The application site is located within the development boundary of St Asaph and allocated as a housing site within the Local Development Plan. The site is located within a Local Landscape Area.
- 1.3.2 The Local Development Plan Inspector in his conclusions on the Local Development Plan found that in order to meet the housing needs of the County, additional housing sites needed to be put into the Plan and this included the application site. The site is therefore an allocated housing site in the Local Development Plan, which was formally adopted by the Council on 4th June 2013.

1.4 Relevant planning history

- 1.4.1 Outline planning application for residential development was refused in January 2013 on the grounds that the site lay outside the development boundary of St Asaph in the Unitary Development Plan and therefore was not supported in principle, and the shortfall in housing land supply argued at the time was not justified given the advanced stage of preparation of the Local Development Plan.

1.5 Developments/changes since the original submission

- 1.5.1 None

1.6 Other relevant background information

- 1.6.1 None

2. DETAILS OF PLANNING HISTORY:

- 2.1 46/2012/0712/PO Development of 1.1ha of land for residential purposes (outline application including access – all other matters reserved) REFUSED at Planning Committee 23rd January, 2013 for the following

reasons:

" 1.The site lies outside the development boundary of St Asaph as defined in the Denbighshire Unitary Development Plan, where the principle of new residential development would be contrary to Policies STRAT 6, GEN 1 and GEN 3 of the plan, and guidance in Planning Policy Wales (5th Edition 2012).

2.It is the opinion of the Local Planning Authority that the case for residential development of the site outside an existing development boundary, based on a shortfall in the Council's Housing Land Supply 2012, is not justified given the advanced stage of the Council's Local Development Plan, which will address this shortfall."

A Planning Appeal against the refusal was submitted in April 2013 but with agreement by all parties, this is being held in abeyance pending the determination of this application, which was submitted following the adoption of the Local Development Plan.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

- 3.1 Denbighshire Local Development Plan (adopted 4th June 2013)
 - Policy RD 1 Sustainable Development and good standard design
 - Policy RD 5 The Welsh language and the Social and cultural fabric of communities
 - Policy BSC 1 Growth Strategy for Denbighshire
 - Policy BSC 4 Affordable Housing
 - Policy BSC 11 Recreation and Open Space
 - Policy VOE 5 Conservation of natural resources
 - Policy ASA 3 Parking Standards
- 3.2 Supplementary Planning Guidance
 - Supplementary Planning Guidance Note 4: Recreational Public Open Space
 - Supplementary Planning Guidance Note 22 Affordable Housing in New Developments
 - Supplementary Planning Guidance Note 25: Residential Development Design Guide
- 3.3 Government Policy / Guidance
 - Planning Policy Wales Edition 5 November 2012
 - TAN 1 Joint Housing Land Availability Studies (2006)
 - TAN 5 Nature Conservation and Planning (2009)
 - TAN 12: Design (2009)
 - TAN 20: The Welsh language – Unitary Development Plans and Planning Control (2000)
 - TAN 22: Planning for Sustainable Buildings (2010)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages.

The site is now located within the development boundary of St Asaph in the adopted Local

Development Plan and was allocated as a housing site by the LDP Planning Inspector as part of the progression of the plan.

Whilst respecting local concerns over the allocation of the site in the LDP, the principle of residential development in this location is consistent with the Council's adopted plan, and this is now a significant consideration in relation to the application. The determination of a planning application on an allocated site is not an opportunity to revisit matters considered as part of the Local Development Plan land allocation process.

4.1.2 Visual amenity

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

There are objections to the proposal based on potential visual impacts of development, with the prospect of roof lines being visible.

In respecting concerns, it is not possible to assess the detailed visual impact at this stage as no details of layout, house types etc have been submitted for consideration given this application seeks only outline planning permission, with access being the sole detail on which approval is being sought.

4.1.3 Residential amenity

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

There are local concerns expressed over potential for loss of privacy from new development on the site.

Whilst the application contains an illustrative layout indicating a possible format for a development, there are no elevation details or floor plans to allow assessment of the impact on adjacent properties.

In respecting the comments received relating to the amenity of occupiers of neighbouring dwellings, in the absence of the relevant details it is not possible, or appropriate to consider such matters at this point, as these matters would normally be dealt with at reserved matters stage. A detailed application would require careful consideration to address impacts on adjacent properties and the visual amenities of the area. Officers conclude therefore that it is not possible to assess detailed amenity impacts at this stage given the application seeks only outline planning permission with all matters, other than means of access, reserved for later approval

4.1.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

There are objections expressed over the potential destruction of habitat as a result of development.

Ecological Assessments have been undertaken, and the Council's Biodiversity Officer and Natural Resources Wales have raised no objection in principle subject to mitigation measures for Great Crested Newts.

4.1.5 Drainage

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

The applicant has not provided any drainage details for approval but Natural Resources Wales, Dwr Cymru/Welsh Water and the Council's Engineer have raised no objection to the proposal subject to the inclusion of suitable conditions being imposed if planning permission is granted. In Officers opinion, there are no drainage grounds to oppose the application.

4.1.6 Highways (including access and parking)

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The means of access to the site is included for approval as part of this outline application. A Highways Assessment Technical Note has been submitted with the application, and its conclusions are that the site can be accessed satisfactorily and will accord with all relevant design standards, and the level of additional traffic likely to be generated by the development would have a negligible impact on the highway network. It is also stated that the site is located within close walking distance to the whole of St Asaph, to local facilities, bus routes and cycle network.

A significant number of objections have been raised by local residents, supported by the City Council, all of which are predominantly concerned in relation to highway safety and the impact the proposal would have on the local highway network in the area around Bryn Gobaith and Mount Road.

The Highways Officer has carefully considered the concerns of the local residents and City Council, along with the Highways Assessment submitted by the applicant. The conclusion is that provided a scheme of road improvements is submitted, including improvements at the Mount Road/Bryn Gobaith junction and traffic calming on Mount Road and Bryn Gobaith, there are no objections to the proposal and there are no concerns in respect of the adequacy of the local highway network.

It is not considered, with respect to objections raised, that there are any strong highway grounds to refuse permission here. The previous reasons for refusal at Planning Committee in January 2013 were based solely on the principle of the development and not on highway grounds.

4.1.7 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing either on site on developments of 10 or more residential units or by way of a financial contribution on development of less than 10 residential units is provided.

The applicant has stated that the Council's Affordable Housing requirement of 10% would be provided.

In accordance with current planning policy, it is now accepted practice to use a 'standard' form of planning condition, as worded by the Planning Inspectorate on appeal decisions in recent years, to establish the requirement for an agreed level of affordable housing or payment of commuted sum prior to the commencement of development. Officers suggest this approach to be appropriate in this instance.

4.1.8 Open Space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions

from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

The applicant has stated that the Council's Open Space requirement would be met with the development. The indicative plan shows an area of open space to the north eastern corner of the site, which is considered to be an unacceptable location, but no other details have been provided.

In Officers opinion, the imposition of a planning condition requiring agreement to the detailing of open space provision would address this issue.

4.1.9 Sustainability including codes and water management

Sustainable development is a key part of the Local Development Plan Strategy, and has been applied to the land use policies and allocations in the Plan. Planning Policy Wales (Section 4.12) sets out Welsh Government's drive to ensure that development proposals mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use, and eventual demolition, and outlines the requirement to move towards more sustainable and zero carbon buildings in Wales through application of specific standards for construction. The Sustainability Code requirements are referred to in TAN 22 Sustainable Buildings, which confirms the obligation on applicants to demonstrate that building(s) can meet specific standards of construction and carbon emission levels.

In the case of this submission, the application is accompanied by a Design and Access Statement and Code for Sustainable Homes Pre-Assessment which demonstrates that the requirements of TAN 12 and TAN 22 can be satisfactorily addressed. Suitably worded conditions can be attached to ensure development is carried out in accordance with the requirements of the Sustainability Code.

4.1.10 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Policy RD 5 in the Local Development Plan.

The Community Linguistic Statement submitted with the application concludes that the proposals would have no material impact on the needs and interests of the Welsh Language.

In Officers' opinion a residential development on this site would not by virtue of its size, scale, and location cause significant harm to the character and language balance of the community.

5. SUMMARY AND CONCLUSIONS:

5.1 The site has been included as a housing allocation within the development boundary of St Asaph as part of the now adopted Denbighshire Local Development Plan. Whilst understanding local concerns over the inclusion of the site this application is not the opportunity to revisit the principles/process of land allocations in the LDP and in Officers opinion significant weight has to be given to the allocation in determining the proposal.

5.2 The report sets out the main planning issues which appear relevant to the consideration of the application. There are objections raised in particular to the highway implications, but the proposals have been scrutinised by the Highways Officer and there are no objections raised. There are no objections from other 'technical' consultees to the grant of an outline permission.

RECOMMENDATION: GRANT - subject to the following conditions:-

1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. PRE-COMMENCEMENT

Prior to the commencement of any site works, details of the Great Crested Newt mitigation measures, considered necessary to address conflicts with the protected species including the details of how the measures will be secured shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed strictly in accordance with such approved details.

5. No development shall take place until a scheme of foul drainage, surface water drainage and land drainage has been submitted to, and approved by, the Local Planning Authority. The surface water drainage scheme should be based on sustainable drainage principles and an assessment of hydrological and hydrogeological context of the development. The drainage strategy should demonstrate the surface water run-off will not exceed the run-off from the undeveloped site. The approved scheme shall be completed before the development is completed.

6. No development shall commence until a survey has been undertaken to determine the condition of the culvert of the watercourse crossing under the old railway track from the rear garden of 28, Rhodfa Glenys, details of which shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed strictly in accordance with the approved details.

7. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 :Planning & Affordable Housing (2006) or any future guidance that replaces it. The scheme shall include:

i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;

ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing) (if no RSL involved);

iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

8. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailed arrangements for the provision for amenity and open space within the site in accordance with the Council's policies and guidance.

9. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010.

10. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.

11. Prior to the occupation of each of the dwellings hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes.

12. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

13. Facilities shall be provided and retained within each plot for the parking of vehicles in accordance with a scheme to be agreed with the Local Planning Authority, and which shall be completed prior to the proposed development being brought into use

14. The detailed layout, design, means of traffic calming, street lighting, signing, drainage and construction of the internal estate road shall be submitted to and approved by the Local Planning Authority prior to the commencement of any work on site and the road shall be constructed as the approved drawings before any dwelling is occupied.

15. No development shall be permitted to commence until the written approval of the Local Planning Authority

has been obtained in relation to a scheme of improvements at the Mount Road/Bryn Gobaith Junction and traffic calming on Mount Road and Bryn Gobaith. The approved works shall be completed strictly in accordance with the approved drawings before any dwelling is occupied.

16. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to the site compound location, traffic management scheme, vehicle wheel washing facilities, hours and days of operation and the management and operation of construction vehicles, the works shall be carried out strictly in accordance with the approved details.

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

1. The application is for outline permission with details of means of access only.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. In the interests of Nature Conservation.
5. To prevent the increased risk of flooding, both on and off site.
6. To mitigate against the consequences of flooding in the area.
7. In order to ensure an adequate supply of affordable housing in accordance with planning policies HSG 10 of the Denbighshire Unitary Development Plan.
8. To secure the provision of open space in accordance with the Council's policies, for the benefit of occupiers of dwellings on the site.
9. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
10. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
11. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
12. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
13. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
14. In the interests of the free and safe movement of all user of the highway and to ensure the formation of a safe and satisfactory access.
15. In the interests of the free and safe movement of all user of the highway and to ensure the formation of a safe and satisfactory access.
16. In the interests of the free and safe movement of all users of the highway and to ensure the formation of a safe and satisfactory access.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

Your attention is drawn to the attached County Council's specification for road construction, highway lighting installations, and traffic signs and road markings.

You are advised that a public right of way lies adjacent to the development. The right of way must not be disrupted during the duration of building works.

Your attention is drawn to the attached Advisory Notes from Dwr Cymru Welsh Water

You are encouraged to actively promote a bilingual approach to site signage and marketing materials for attracting occupants and work force, to enhance the profile of the Welsh Language.