

© Crown copyright and database rights 2017 Ordnance Survey 100023408.

20/2016/1242

Scale: 1:1250

Printed on: 25/5/2017 at 13:45 PM



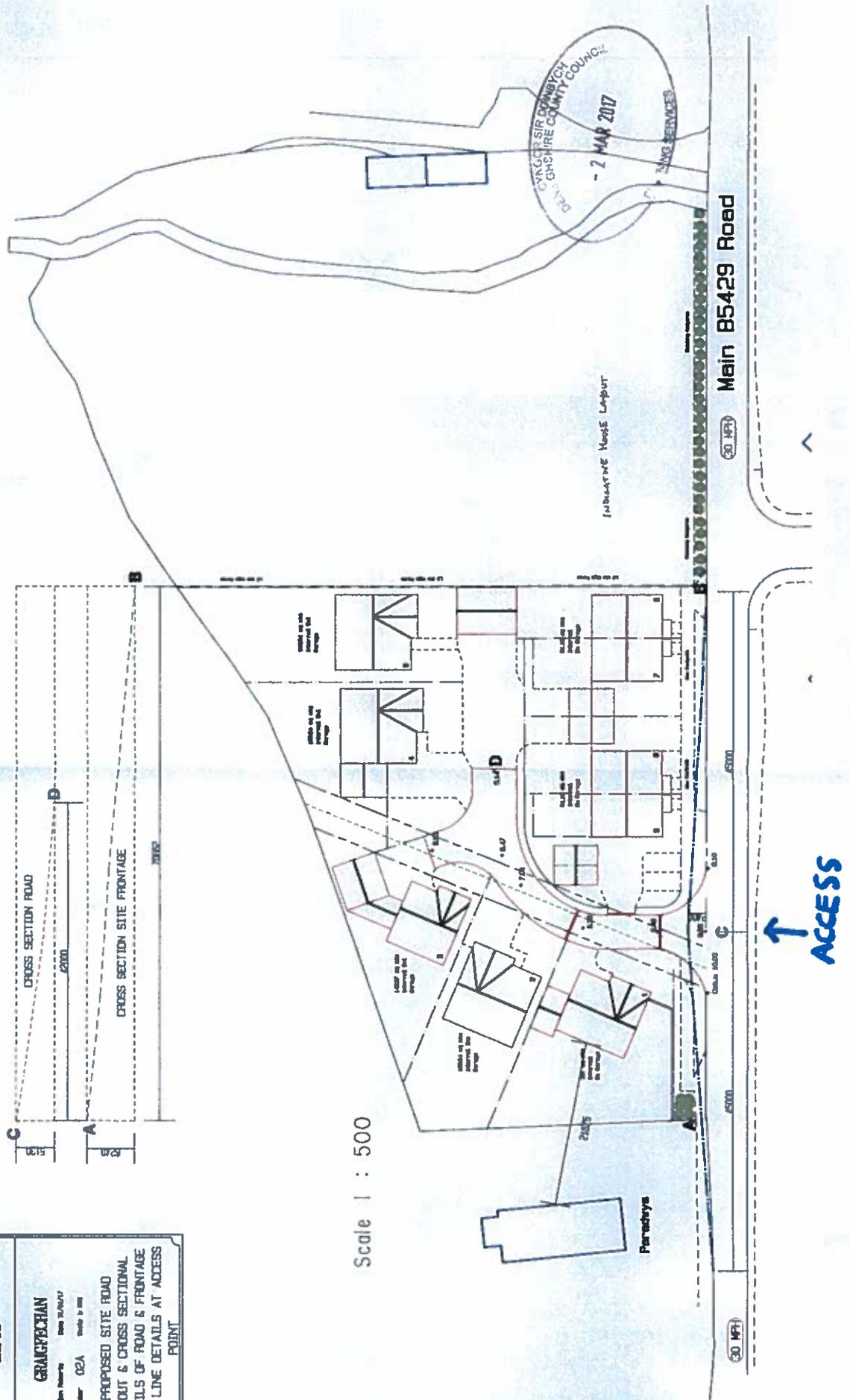
© Denbighshire County Council



# SITE PLAN



<b>URBAN BUILD 16d</b>	
LIST 4 LUN FICHER BARRAGE PARK RUMBY CROSSLANDS ILLIS SUU	GRAUPECHIAN Drawn by: JRM/ML/ML Date: 26/06/17 Drawing number: 02A Scale: 1:500
Description: PROPOSED SITE ROAD LAYOUT & CROSS SECTIONAL DETAILS OF ROAD & FRONTAGE SIGHT LINE DETAILS AT ADDRESS POINT	



Scale 1 : 500

↑ ACCESS



**WARD :** Llanfair Dyffryn Clwyd

**WARD MEMBER(S):** Cllr Hugh Evans

**APPLICATION NO:** 20/2016/1242/ PO

**PROPOSAL:** Development of land for residential purposes including access  
(Outline Application all other matters reserved)

**LOCATION:** Land adjacent to Paradwys Graigfechan Ruthin

**APPLICANT:** UrbanBuild (Special Projects) Ltd

**CONSTRAINTS:** AONB

**PUBLICITY UNDERTAKEN:** Site Notice - No  
Press Notice - No  
Neighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received

**CONSULTATION RESPONSES:**

**LLANFAIR DC COMMUNITY COUNCIL:**

"Letter dated 15 January 2017

Re: Planning Application 20/2016/1242 - Paradwys, Graigfechan, Ruthin I write in relation to the proposed development of 0.34 ha of land by the erection of 9 dwellings and construction of new vehicular and pedestrian access by Urbanbuild [Special Projects] Ltd. Llanfair DC Community Council discussed the proposal at its meeting on 4 January 2017 and would support the proposal at this outline stage.

The Community Council would further comment:

1 No mention is made of providing affordable housing as part of the scheme, but the planning statement mentions 2 to 4 bed units. As this is an outline application there is no detail on the units proposed. It is suggested that as there are 9 units proposed one affordable house can be expected. The Planning Authority may wish to consider asking for nine-tenths of the cost of an affordable house as a commutable sum.

The Community Council would welcome clarification of the developer's intent once a detailed application is submitted and whether the rest of the site has 'deemed planning approval'. If so will affordable housing come into the equation for the whole site? The Community Council is also seeking an assurance that the sewerage unit has enough capacity.

2 It is known that a spring/well exists on the proposed site and that this is a source of water to properties in the vicinity. The Community Council would welcome detail about how the water supply will be protected during construction and afterwards as part of the detailed application. It is possible that this well is used by the properties below the site and should be investigated by the Planning Authority before any decision is given on this site.

3 The arrangements for drainage of the site should follow Denbighshire and national guidelines and details for treatment of sewerage and surface water should be set out in the detailed application.

4 Increase in through traffic will cause further concern but it is noted that the Local Authority is currently consulting on traffic calming measures for Graigfechan. Some local residents have

raised queries about the access point to the site being halfway up the hill. It seems that planning has been refused in the past due to safety reasons.

**Letter dated 24 March 2017 (re-consultation)** I write in relation to the amended plans submitted to develop 0.34 ha of land by the erection of 4 instead of 9 dwellings and construction of new vehicular and pedestrian access.

The Community Council's original comments still stand, that is:

1. The Community Council would welcome clarification of the developer's intent with regard to the rest of the site and whether it has 'deemed planning approval'. If so will affordable housing come into the equation for the whole site? The Planning Authority may wish to consider asking for nine-tenths of the cost of an affordable house as a commutable sum. The Community Council is also seeking an assurance that the sewerage unit has enough capacity.

2. It is known that a spring/well exists on the proposed site and that this is a source of water to properties in the vicinity. The Community Council would welcome detail about how the water supply will be protected during construction and afterwards as part of the detailed application. It is possible that this well is used by the properties below the site and should be investigated by the Planning Authority before any decision is given on this site.

3. The arrangements for drainage of the site should follow Denbighshire and national guidelines and details for treatment of sewerage and surface water should be set out in the detailed application.

4. Increase in through traffic will cause further concern but it is noted that the Local Authority has consulted on traffic calming measures for Graigfechan. Some local residents have raised queries about the access point to the site being halfway up the hill. It seems that planning has been refused in the past due to safety reasons.

Additional comments on the amended plans are as follows:

5. The comments raised by the AONB should be adopted in full with the new path behind the hedge. It is suggested that the existing hedge on the boundary to the west should be reinforced with new planting and not timber panels. A query has been raised about who will ultimately be responsible for maintenance of these hedges.

6. Can the Planning Authority confirm that the end of the cul de sac is a ransom strip into the other piece of land and that the width is good enough for the final estate?

7. The sections shown on the plans are inadequate to assess the height of houses against the existing ground. A plan should be provided showing cross sections through the site so that 'over looking' possibilities can be assessed.

8. The Community Council would ask that Denbighshire County Council's Housing Need Assessment be taken into consideration in relation to the types of housing proposed in this development. As well as affordable housing a mix of housing types that reflected the need would be considered appropriate."

#### CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY JOINT ADVISORY COMMITTEE:

"The Joint Committee notes the revised description and details of the access. The committee maintains that only a single access should be provided to service both the application site and adjoining land within the Development Boundary to minimise the need to remove existing hedgerows for the access and associated visibility splays. This should be reflected in the sketch layout. A replacement hedge comprising native local species should be planted behind the visibility splay to maintain the rural character of the village road, and the detailed design of the access, including the footways should adopt a sensitive approach which avoids 'urbanising' the rural scene through the excessive use of concrete kerbs, Bitmac footways, etc."

#### NATURAL RESOURCES WALES:

No objections. It is considered that the ecological report has been carried out to a satisfactory standard. Conditions should be included to secure the submission and implementation of other reasonable avoidance measures, and native species planting.

DWR CYMRU / WELSH WATER:

No objections.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer: no objections

Strategic Planning and Housing Manager:

No objections.

**RESPONSE TO PUBLICITY:**

K & M Evans, Paradvys, Graigfechan F J Barker - 1 Bryn Glas, Graigfechan  
Mrs E A Davies, Tan y Graig, Graigfechan Dr John & Mrs Heather Gill - Cartref,  
Graigfechan Petition with 37 names on Clough & Co obo I Jones, Geufron Fawr, Glanrafon  
John Edwards, Ty Berllan, Graigfechan Mrs E D and Mr J L Edwards, Ty Berllan, Graigfechan  
Denis Brian, Bryn y Broch

In objection

Representations received from:

K & M Evans, Paradvys, Graigfechan F J Barker - 1 Bryn Glas, Graigfechan  
Mrs E A Davies, Tan y Graig, Graigfechan Dr John & Mrs Heather Gill - Cartref,  
Graigfechan Clough & Co obo I Jones, Geufron Fawr, Glanrafon John Edwards, Ty Berllan,  
Graigfechan Mrs E D and Mr J L Edwards, Ty Berllan, Graigfechan Denis Brian, Bryn y Broch

Derek Roberts, 7 Bryn Glas, Graigfechan (comments only - neither supports nor objects)

Petition with 37 names on

Summary of planning based representations in objection:

- The highway conditions are not suitable.
- The development would have a detrimental impact upon a water well/spring
- Detrimental impact upon residential amenity
- The proposal will have a detrimental impact upon toad migration
- The development will harm the character of the AONB
- There is not a need for additional houses as there are many houses for sale in the area already.

**EXPIRY DATE OF APPLICATION: 26/4/17**

**EXTENSION OF TIME AGREED: 16/6/17**

**REASONS FOR DELAY IN DECISION:**

- timing of receipt of representations
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 Outline planning permission is sought for the development of 0.34ha of land within the development boundary of Graigfechan.
- 1.1.2 Details of the access are included for consideration, and all other matters (appearance, landscaping, layout and scale) being reserved for later consideration.
- 1.1.3 The application is accompanied by an indicative layout plan, and suggested 'upper and lower' size limits for three different types of dwellings:  
Type A:  
Height: Upper limit 7.5m / lower limit 7.0m  
Width: Upper limit 10m / lower limit 9.0m  
Length: Upper limit 11m / lower limit 9.0m  
  
Type B:  
Height: Upper limit 7.5m / lower limit 7.0m  
Width: Upper limit 9.0m / lower limit 8.0m  
Length: Upper limit 9.0m / lower limit 8.0m  
  
Type C:  
Height: Upper limit 7.5m / lower limit 7.0m  
Width: Upper limit 6.0m / lower limit 5.0m  
Length: Upper limit 9.0m / lower limit 8.0m
- 1.1.4 Notwithstanding the inclusion of an indicative layout, the number of dwellings on the site is not included for consideration.
- 1.1.4 The access details show that the removal of the existing hedge along the road will need to be removed for approximately 70m to achieve the required visibility splays. The access into the site would be at the approximate location of the existing field entrance.
- 1.1.5 The application is submitted with details of suggested traffic calming measures, an ecological report and a topographical survey.

## 1.2 Description of site and surroundings

- 1.2.1 The site is located within the development boundary of Graigfechan, and is currently pasture land. It is sloping in nature, falling from east to west and south to north.
- 1.2.2 There site is bound by existing mature hedgerows to the east, west and south, whilst top the north, the site boundary is open to the remainder of the field.
- 1.2.3 There is an existing dwelling immediately to the south of the site, 'Paradwys', and to the north, 'Tan Y Graig'. Opposite the site to the east is the 'Bryn Glas' estate, and dwellings that make up 'The Terrace'.
- 1.2.4 The site is accessed from the B5429.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is allocated for housing development in the Local Development Plan, and is within a designated Area of Outstanding Natural Beauty.

## 1.4 Relevant planning history

- 1.4.1 None

## 1.5 Developments/changes since the original submission

- 1.5.1 The application was originally submitted in outline with numbers of dwellings specified. Officers raised concerns that if numbers were specified, layout and appearance should also be submitted so that the application could be determined properly.

- 1.5.2 The applicants advised that at this stage they did not want to submit such detail as the application was being made to test the principle of development and establish the access. Numbers of dwelling were therefore removed from the application.
- 1.5.3 The applicants also responded to initial comments from the Highway Authority and amended the access layout so as to achieve the required visibility splays.

1.6 Other relevant background information

- 1.6.1 Concern has been raised by the Community Council and local residents regarding the presence of a spring

**2. DETAILS OF PLANNING HISTORY:**

- 2.1 None

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

- 3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)
  - Policy RD 1 Sustainable Development and Good Standard Design
  - Policy BSC 1 Growth Strategy for Denbighshire
  - Policy BSC 4 Affordable Housing
  - Policy BSC 11 Recreation and Open Space
  - Policy VOE 2 Area of Outstanding Natural Beauty
  - Policy VOE 5 Conservation of natural resources
  - Policy VOE 6 Water Management
  - Policy ASA 2 Provision of sustainable transport facilities
  - Policy ASA 3 Parking Standards

- 3.2 Supplementary Planning Guidance
  - SPG Open Space
  - SPG Planning Obligations
  - SPG Affordable Housing in New Developments
  - SPG Residential Development Design Guide
  - SPG Nature Conservation and Species Protection

- 3.3 Government Policy / Guidance
  - Planning Policy Wales Edition 8 January 2016
  - TAN 1 Joint Housing Land Availability Studies (2006)
  - TAN 5 Nature Conservation and Planning (2009)
  - TAN 12: Design (2016)
  - TAN 20: The Welsh language – Unitary Development Plans and Planning Control (2013)

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6, 2014 (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
  - 4.1.2 Density of development and house type mix
  - 4.1.3 Visual amenity including impact upon AONB
  - 4.1.4 Residential amenity
  - 4.1.5 Ecology
  - 4.1.6 Drainage
  - 4.1.7 Highways (including access and parking)
  - 4.1.8 Affordable Housing
  - 4.1.9 Open Space
  - 4.1.10 Impact on Welsh Language and Social and Cultural Fabric
  - 4.1.11 Other matters

4.2 In relation to the main planning considerations :

4.2.1 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 located within the development boundary of Graigfechan, which is designated as a village in the adopted Local Development Plan, and it is allocated as a housing site on the proposals map accompanying the Plan.

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. Given this background, Officers would respectfully suggest the acceptability of the proposals therefore should rest on the specific impact assessments detailed in the following sections of the report.

4.2.2 Density of Development

Local Development Plan Policy RD1 test ii) seeks to ensure the most efficient use of land by achieving densities of a minimum of 35 dwellings per hectare, unless there are local circumstances that dictate a lower density.

Applying this density to the site area of 0.34 would give a total of 12 dwellings.

It is noted that the whole of the allocated site has not been included in this application. The consideration here is whether this would limit the delivery of housing within the county, and community. The Local Development Plan suggests that the site as a whole should be developed by way of 10 houses. On the whole site, this would be a density of approximately 15 dwellings per hectare.

The indicative layout for only part of the site (0.34ha) suggests that 9 dwellings could be accommodated on the site - possibly more depending on final house types.

With regard to house types, the Community Council have commented that Denbighshire County Council's Housing Need Assessment be taken into consideration when determining the house types, so as to ensure the needs of the community are better met. The Housing Officer has commented that there is a need for smaller two bed units in the area. However, the application is an outline application, and the details of the dwellings proposed are not for consideration at this point.

Historically, it was considered that such matters could be dealt with at the reserved matter stage. However, at a recent appeal in which the LPA had attempted to control mix of dwellings at the reserved matters stage, the inspector ruled against

the Authority suggesting that at the reserved matters stage, LPA's could only consider the relationship between dwellings (distances etc) and the appearance etc. Matters relating to house type mix should be controlled at the outline stage, as they go to the heart of the permission.

On that basis, it is considered reasonable and necessary to attach a planning condition that seeks the agreement of the mix of dwelling types (inc. bedroom numbers) prior to the commencement of development.

Whilst the whole site has not been included in the application, it is not considered that the approach taken by the applicants would undermine the provision of housing within the community, and it is unlikely that the target figure of 10 dwellings would be missed.

#### 4.2.3 Visual amenity – including impact on AONB

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. Policy VOE 2 emphasises the requirement to ensure that development proposals do not harm the essential characteristics that justify the areas inclusion within the Area of Outstanding Natural Beauty.

There are objections to the proposal based on potential visual impacts arising from the density of development on the edge of the village. The AONB Committee does not raise an objection to the proposal but comments on the potential to include planting/landscaping schemes to help mitigate the urbanisation of the area

Officers accept that there will inevitably be some visual amenity impact from housing development in this location, but in respecting the concerns expressed, it is not considered reasonable to oppose the application on this basis, given the recent allocation of the site for residential development. Whilst it is not possible to assess the detailed visual impact of the dwellings at this stage as the application is in outline form with no approval sought for details of appearance etc., it is not considered that the development proposed would give rise to visual impacts sufficient to merit a refusal of outline permission. The comments of the AONB Committee are noted, and these are details that would be dealt with at reserved matters stage. The proposal is considered acceptable in terms of its impact upon visual amenity and the AONB.

#### 4.2.4 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.

Concerns have been expressed over potential for loss of privacy, etc. from new development on the site.

The application contains an illustrative layout indicating a possible format for a

development and there are some illustrative images of the development. However there are no detailed elevation details to allow assessment of the impact on adjacent properties and this would be a matter for assessment as part of any detailed reserved matters application.

In the absence of full details of the dwelling types, it is not possible or appropriate to consider specific residential amenity issues at this point. These would normally be dealt with at reserved matters stage, when the full impact of development and proximity to existing property can be fully assessed. At this stage, the application is considered acceptable in terms of residential amenity.

#### 4.2.5 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 no objections expressed over the potential impact on ecology as a result of development. An Ecological Appraisal has been undertaken which concludes the site has low ecological value. It is intended to integrate wildlife friendly features in to final design of the site such as planting of native hedges, the provision of food sources, nesting and roosting opportunities for birds, bats and other wild animals in planting schemes within gardens.

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

#### 4.2.6 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.

Natural Resources Wales and Dwr Cymru Welsh Water have not raised any objections to the proposal subject to the inclusion of suitable conditions being imposed if planning permission is granted.

Given the comments of the technical consultees, it is considered that it is reasonable to assume that an acceptable drainage scheme can be achieved on the site. It is considered appropriate to secure the provision of an appropriate drainage scheme through condition. The proposals are therefore considered acceptable in relation to drainage.

#### 4.2.7 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.

There are objections raised by local residents in relation to highway safety in terms of the siting of the access and increased traffic in the village. The Highways Officer has no objections to the proposal and has no concerns in respect of the adequacy of the local highway network, subject to conditions.

It is not considered, with respect to objections raised, that there are any strong highway grounds to refuse permission here. The Highways Officer is satisfied at the proposals, including the position of the 30 mph restriction. In relation to the comments of the Community Council, appropriate controls over traffic management during the construction period can be included through planning conditions.

4.2.8 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.

The Council's Strategic Planning and Housing section has advised there is a identified need for affordable housing in the area. The application specifies that the proposal will meet the Council's Affordable Housing policy, the number and tenure of which would be agreed with the Council.

In accordance with current planning policy, it is now accepted practice on outline planning applications to use a 'standard' form of planning condition to require further approval of the arrangements for provision of Affordable Housing prior to the commencement of development. Officers suggest this approach to be appropriate in this instance.

4.2.9 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 precise number of dwellings is not know at this point, and without that it is not possible to calculate the precise requirement. It is therefore considered reasonable to impose a suitably worded planning condition requiring agreement to the mechanism for compliance with the open space requirement.

4.2.10 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.

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

4.2.11 Other matters

Water well:

Concern has been raised regarding the impact on a water well located within the site and the developments potential impact upon the supply to dwellings to the north. In Officers opinion, this is a civil matter relating to rights to the water. It would be the developers responsibility to ensure that such rights were maintained.

Well – being of Future Generations (Wales) Act 2015:

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

## **SUMMARY AND CONCLUSIONS:**

- 5.1 The site has been included as a housing allocation within the development boundary of Graigfechan as part of the adopted Denbighshire Local Development Plan. This establishes the Council's acceptance of the principle of the development.
- 5.2 The report sets out the main planning issues which appear relevant to the consideration of the application. There are concerns raised over highway and density issues, but the proposals have been scrutinised by the Highways Officer, and it is not considered that there are any substantive grounds to resist the grant of outline permission.

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

1. Approval of the details of the appearance of the building(s), layout, landscaping and scale (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 14th June 2020.
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. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
  - (i) Proposed site outline plan drawing number 02A received 2 March 2017
  - (ii) Topographical Plan (drawing number PMS16033) received 14 December 2016
  - (iii) Location plan received 14 December 2016
5. **PRE-COMMENCEMENT CONDITION**

No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:

  - 1) Site compound location
  - 2) Traffic management scheme
  - 3) The parking of vehicles of site operatives and visitors;
  - 4) Loading and unloading of plant and materials;
  - 5) Storage of plant and materials used in constructing the development;

- 6) The management and operation of construction vehicles and the construction vehicle routes
- 7) wheel washing facilities;
- 8) Measures to control the emission of dust and dirt during construction;

The approved Statement shall be adhered to throughout the construction period.

6. PRE-COMMENCEMENT CONDITION  
No development shall be permitted to commence until the detailed layout, design, street lighting, signing, drainage and construction of the internal estate road, access to the site, footway adjacent to the existing highway and associated highway works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with such approved details.
7. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 0.6 metres above the level of the adjoining carriageway.
8. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan and which shall be completed prior to the development being brought into use.
9. PRE-COMMENCEMENT CONDITION  
No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the arrangements for securing compliance with the Council's Policies and Supplementary Planning Guidance in relation to Affordable Housing. The development shall proceed strictly in accordance with the approved arrangements.
10. PRE-COMMENCEMENT CONDITION  
No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the details of proposals for the disposal of foul drainage and surface water drainage (including roof water) in connection with the development. The scheme shall include details of the timing of implementation and the works shall be carried out strictly in accordance with the approved details.
11. PRE-COMMENCEMENT CONDITION  
No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the arrangements for securing compliance with the Council's Policies and Supplementary Planning Guidance in relation to Open Space. The development shall proceed strictly in accordance with the approved arrangements.
12. All signage within the site shall be in both Welsh and English.
13. PRE-COMMENCEMENT CONDITION  
No development shall be permitted to commence until details of reasonable avoidance measures for otters have been submitted to the Local Planning Authority. The development shall proceed in accordance with such approved details.
14. PRE-COMMENCEMENT CONDITION  
No development shall be permitted to commence until a phasing plan has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details.
15. PRE-COMMENCEMENT CONDITION  
Prior to the commencement of development details of the range of house sizes and types shall be submitted for approval to the Local Planning Authority. Any subsequently approved details shall be implemented in full.
16. The site shall be developed at no less than 25 dwelling per hectare and no more than 30 dwellings per hectare.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. For the avoidance of doubt and to ensure a satisfactory standard of development.

5. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
6. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
7. To ensure that adequate visibility is provided at the proposed point of access to the highway.
8. To provide for the parking 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.
9. To ensure the development is in compliance with the Council's adopted affordable housing policies and guidance.
10. To ensure the development is served by a satisfactory drainage system.
11. To ensure the development is in compliance with the Council's adopted Open Space policies and guidance.
12. In the interest of protection of the Welsh language.
13. In the interests of nature conservation.
14. To enable the Local Planning Authority to control the level of development in the area.
15. In the interest of ensuring the development is accordance with the current local housing needs assessment.
16. In the interest of ensuring the site is developed in an efficient manner, whilst protecting the character of the area.

#### **NOTES TO APPLICANT:**

##### DCWW Advisory Notes

You may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

You are also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

##### SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

##### WATER SUPPLY

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

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

Environmental Management

If during any construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 33 and 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

## HIGHWAYS

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.

There is no diminution in the width of the right of way available for use by members of the public.

No building materials are stored on the right of way.

No damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way.

Vehicle movements are arranged so as not to interfere with the public's use of the way.

No additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature.

No wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right or allowed to interfere with the right of way.

The safety of members of the public using the right of way is ensured at all times.

If the applicant wishes to temporarily close the Path, he/she will need to apply for a temporary closure at least 6 weeks prior to the event. Please contact Paul Owen or Tania Evans on 01824 706872/2963 for further details.

The Local Planning Authority requires further consideration be given to providing a different mix of housing types, such as providing more single storey properties within the development.