



40-2023-0627



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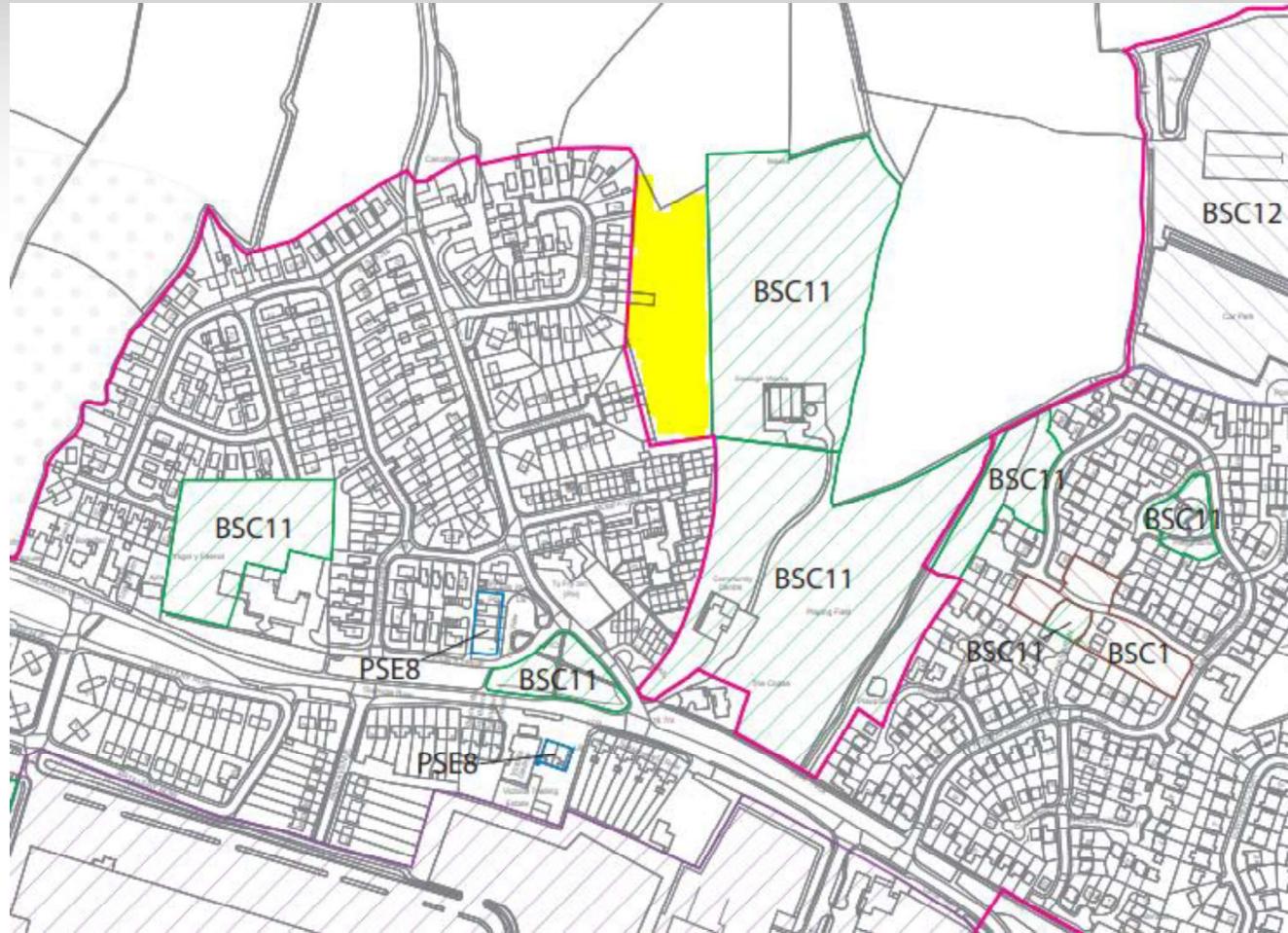
**40/2023/0627/PF Land at Bryn Morfa,
Bodelwyddan**

**Demolition of dwelling and erection of 31
new affordable dwellings including new
vehicular access, internal access road and
associated works**



Location plan

LDP Proposals Map (with site highlighted)



Proposed Vehicular Access

Bungalow to be demolished



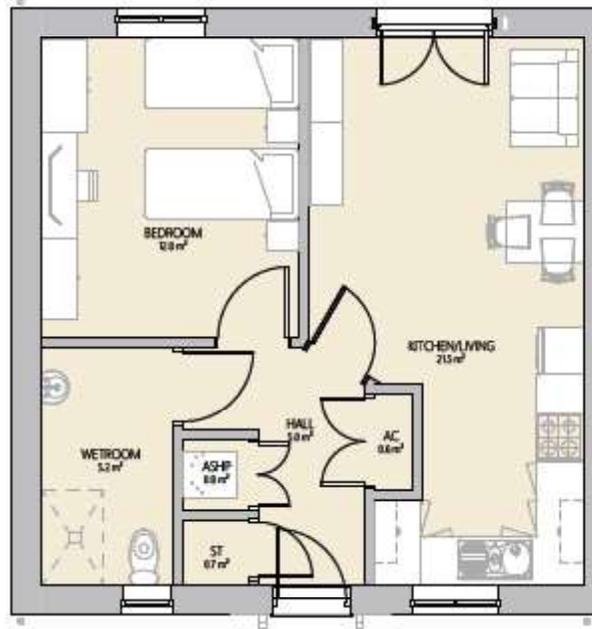
Visualisations





1B2P - BUNGALOW

SCALE: 1 : 50



FRONT

SCALE: 1 : 100



FRONT.

SCALE: 1 : 100



SIDE

SCALE: 1 : 100



SIDE.

SCALE: 1 : 100



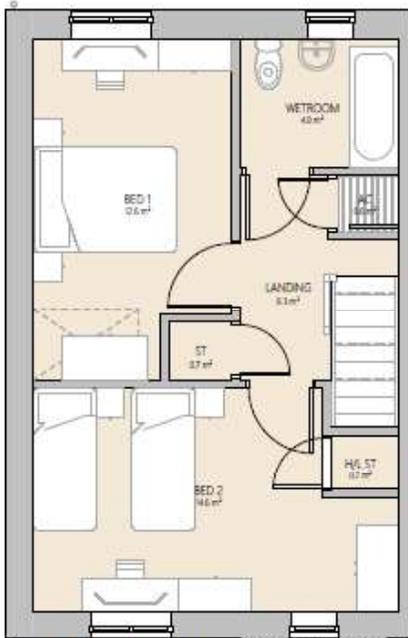
REAR

SCALE: 1 : 100



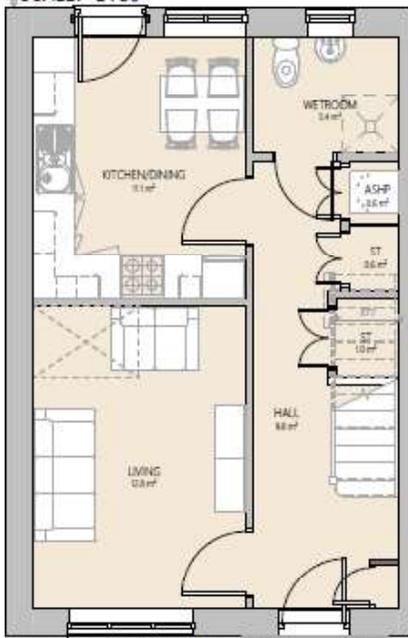
REAR.

SCALE: 1 : 100



2B4P - FF PLAN

SCALE: 1 : 50



2B4P - GF PLAN

SCALE: 1 : 50



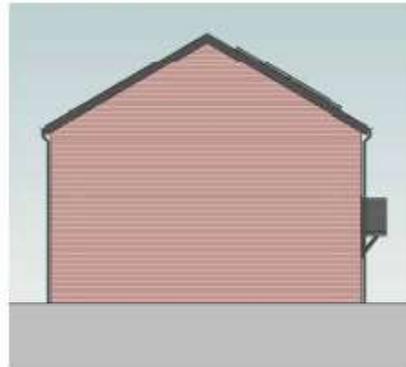
FRONT - BRICK

SCALE: 1 : 100



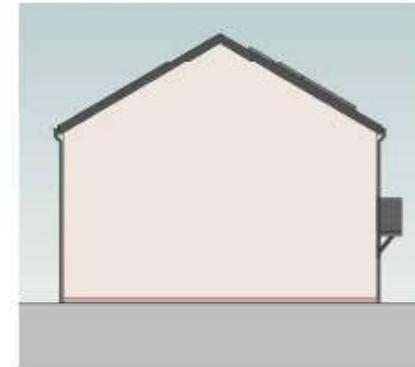
FRONT - RENDER

SCALE: 1 : 100



SIDE - BRICK

SCALE: 1 : 100



SIDE - RENDER

SCALE: 1 : 100



REAR - BRICK

SCALE: 1 : 100

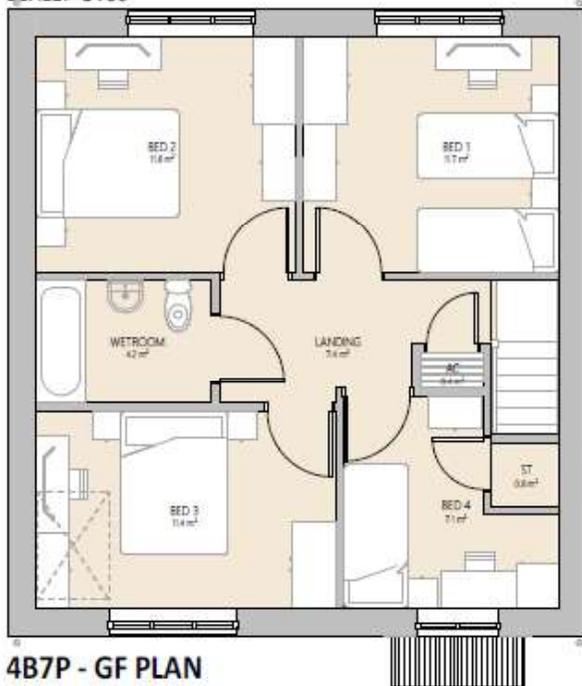


REAR - RENDER

SCALE: 1 : 100

4B7P - FF PLAN

SCALE: 1:50



BRICK FRONT

SCALE: 1:100



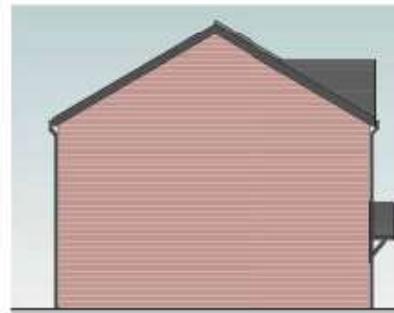
RENDER FRONT

SCALE: 1:100



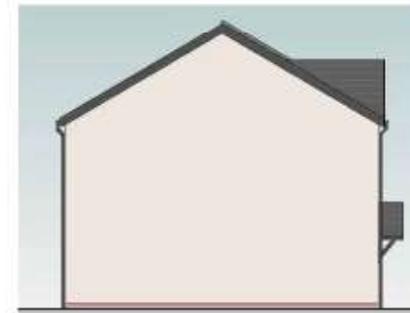
BRICK LEFT

SCALE: 1:100



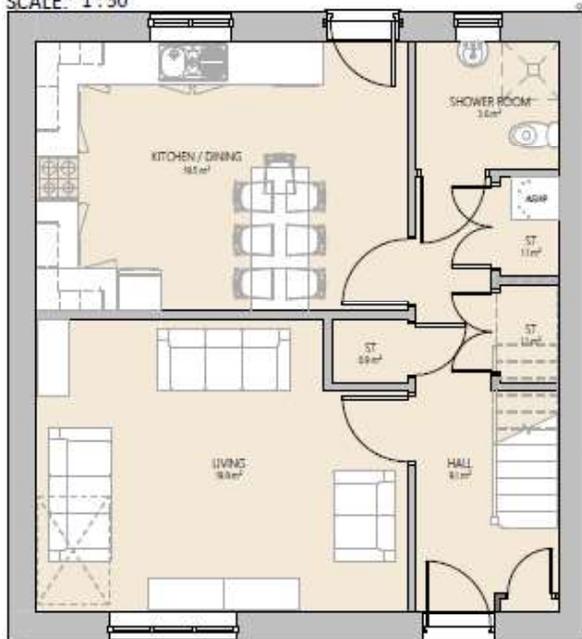
RENDER LEFT

SCALE: 1:100



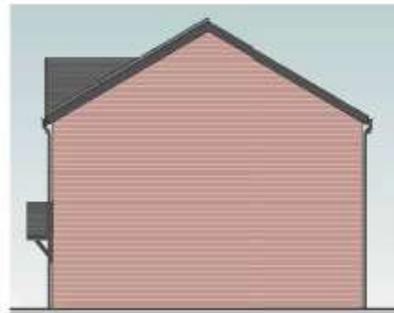
4B7P - GF PLAN

SCALE: 1:50



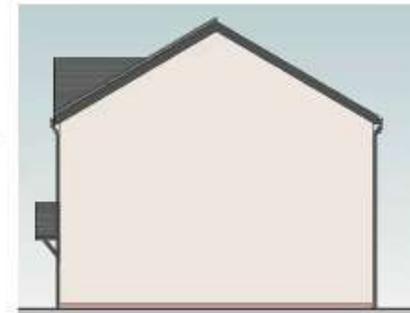
BRICK RIGHT

SCALE: 1:100



RENDER RIGHT

SCALE: 1:100



BRICK REAR

SCALE: 1:100



RENDER REAR

SCALE: 1:100



Proposed access off Bryn Morfa – no 22 to be demolished





Views within the site



Application site behind the trees when viewed from open space (south east of the site)



WARD : Bodelwyddan

WARD MEMBER(S): Councillor Raj Metri (C)

APPLICATION NO: 40/2023/0627/ PF

PROPOSAL: Demolition of dwelling and erection of 31 new affordable dwellings including new vehicular access, internal access road and associated works

LOCATION: Land at Bryn Morfa, Bodelwyddan, Rhyl

APPLICANT: Wales And Wales Housing Association

CONSTRAINTS: None

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:

BODELWYDDAN TOWN COUNCIL

“Object to the application of the following grounds:

1. Highways impact

The assessment in 6.2 indicates that the development is not expected to generate a volume of vehicles that will have a significant impact. The Town Council disagrees with this observation. If the properties have 1 car each but the likelihood is that has the development matures 50 % could have two cars that’s an addition of 46 extra vehicles moving along Bryn Morfa to a single exit into Ronaldsway . Bryn Morfa a cul de sac of 40 houses is already congested with off road parking when the majority of occupants are home. The new development will add more traffic on to this already congested street. The main road Ronaldsway is often only a single side free flowing due to parked vehicles along one side. This causes traffic build up. There is likely to be traffic build up in the cul de sac as it will be difficult to exit on to Ronaldsway at peak times.

2. Impact on the primary school

Ysgol y faenol is already at capacity and there is approved a 110 house development started in Bodelwyddan. This new development will feed into the school too so where are the children from this development going to attend school. 21 houses are likely to have children of school age at some point in the development life.

3. Impact on Amenities

There are no local health services in Bodelwyddan, Currently residents have to go to Rhuddlan or Abergele to access a doctor. These practices are already serving a large number of people and both have had new housing developments in their own towns increasing the number of residents. The 110 house development stated in Bodelwyddan will be need to be accommodated by these Doctor surgeries already”

NATURAL RESOURCES WALES

No objection subject to the inclusion of a standard condition

DWR CYMRU / WELSH WATER

No objection subject to the inclusion of a standard condition and request advisory notes are included

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety:

- Highways Officer

Highways Officers have given consideration to the following elements of the proposals;

- *Capacity of existing network*
- *Accessibility*
- *Site access*
- *Site Layout*

The following information has been reviewed as part of the assessment of the proposals;

- *Site Plans*
- *Transport Statement*
- *Travel Plan*

Having regard to the submitted details it is considered that sufficient information has been submitted.

Capacity of Existing Network

Criteria viii) of Policy RD 1 advises that proposals should 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.

The site is situated to the east of an established residential area which is served of Bryn Morfa, a cul-de-sac located to the northwest of Bodelwyddan.

The site will be accessed directly from Bryn Morfa, which is a cul-de-sac serving approximately forty residential properties. The existing highway is approximately 6m wide, has footways on both sides, street lighting and is subject to a 20mph speed limit.

The proposed development is for the provision of 31 residential units on a site located to the east of existing residential properties situated on Bryn Morfa. Access to the site will be via a new highway link served directly from Bryn Morfa.

Figures for the peak hour anticipated traffic volume from the proposed development has been illustrated in the Transport Statement. The peak am and pm inflows to the development have been calculated as 4 and 15 vehicles respectively and peak am and pm outflows as been 15 and 7 respectively. It is felt that the nature and scale of the proposed development is unlikely to produce a detrimental volume of traffic, and subsequently their impact on the operational capability of the adjacent highway network.

Having regard to the scale of the proposed development, the existing highways network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highways network in terms of capacity.

Accessibility

At 8.7.1 Planning Policy Wales (PPW) specifies that when local planning authorities determine planning applications they should take account of the accessibility of a site by a range of different transport modes. TAN 18 at 6.2 states that walking should be promoted as the main mode of transport for shorter trips. Section 6.2 goes onto specify that when determining planning applications local planning authorities should;

- ensure that new development encourages walking as a prime means for local journeys by giving careful consideration to location, access arrangements and design, including the siting of buildings close to the main footway, public transport stops and pedestrian desire lines;*
- ensure that pedestrian routes provide a safe and fully inclusive pedestrian environment, particularly for routes to primary schools;*
- ensure the adoption of suitable measures, such as wide pavements, adequate lighting, pedestrian friendly desire lines and road crossings, and traffic calming;*

Policy RD1 of the LDP states that development should provide safe and convenient access for disabled people, pedestrians and cyclists. Policy ASA 2 of the LDP identifies that schemes may be required to provide or contribute to the following;

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

A detailed assessment of the accessibility of the site by non-car modes of transport has been provided in the Transport Statement. As summarised in the statement, the site is considered to be well served by all major non-car modes of transport.

Having regard to the location of the existing site and existing arrangements it is considered that the proposals are acceptable in terms of accessibility and the policy requirements identified above.

Site Access

Criteria vii) of Policy RD 1 of the Denbighshire Local Development Plan (LDP) requires that developments provide safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles. In order to comply with this requirement site accesses should meet relevant standards. Technical Advice Note 18: Transport (TAN 18) specifies at 5.11 that new junctions must have adequate visibility and identifies Annex B as providing further advice on required standards.

The proposed site access arrangements shown on plan SCP/190490/SK01 – REV C, demonstrate compliance with the visibility standards set out in Annex B TAN 18 and are therefore considered to be acceptable.

Site Layout (including roads, pavements, manoeuvring, lighting etc.)

Criteria vii) of Policy RD1 of the LDP states that development should provide safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles together with adequate parking, services and manoeuvring space.

Specific design guidance is contained within the following documents;

- *Manual for Streets*
- *Denbighshire County Council Highways and Infrastructure: Minimum Specification for the Construction of Roads Serving Residential Development and Industrial Estates*
- *Denbighshire County Council: Specification for Highway Lighting Installations*
- *Denbighshire County Council: General Requirement for Traffic Signs and Road Markings*

The proposed site has a main internal estate road, measuring 5.5m in width along with the provision of 1.8m footways/service margins throughout the site. In order to demonstrate that the site can be serviced sufficiently, swept path analysis of a large 4-axle refuse vehicle has been undertaken at the site access and at the turning head within the site. The swept path analysis demonstrates that a vehicle of this size can enter the site via the site access, turn within the site at appropriate points, and exit the site in a forward gear.

Having regard to the details provided and guidance identified above, it is considered that the on-site highways arrangements are acceptable.

Having regard to the detailed assessments above, taking into consideration the capacity of the existing highway network, accessibility, site access and site layout, Highways Officers would see no reason to object to the proposed development, subject to appropriate conditional controls.

Public Protection Officer

No objections, the Noise & Odour Impact Assessments have been completed by suitably qualified professional consultants. A Construction Method Statement condition is recommended.

Ecology Officer

The proposed development will result in an area of grassland/scrub habitat being destroyed. Approximately 12.5% of the development site will be retained as open space for nature and this will be significantly different in structure to the habitat as exists.

There are species on site that are listed under Section 7 of the Environment (Wales) Act 2016 which are recognised of principal importance for the purpose of maintaining and enhancing biodiversity. The loss of the current habitat structure will have a significant impact upon them in relation to forage and breeding opportunities.

Habitat features to be retained include mature hedgerows, however, the management proposal is for them to be faced and topped to c. 2m in height therefore greatly impacting upon their character and habitat features.

The Green Infrastructure Statement (P J Ecological Solutions, March 2024) concludes '... this new green infrastructure is likely not only to provide on-site compensation for any habitats or ecological features of importance to be lost, but also to provide a clear biodiversity net gain.'

I disagree with this statement considering the current makeup of habitat, and associated species, on site in comparison with that proposed

Tree Specialist

No objection, a condition is recommended to ensure the development proceeds in accordance with the Arboricultural Method Statement contained in Section 3 of the Arboricultural Appraisal.

Strategic Housing & Policy Officer

The site is located outside the development boundary of Bodelwyddan.

- The site adjacent to Bryn Morfa is defined as open countryside and development in such areas is restricted to Rural Exceptions sites (policy BSC 8) and rural enterprise dwellings as set out in Planning Policy Wales.*
- The site is currently designated agricultural land Grade 3a quality under the Agricultural Land Classification.*
- There are a number of trees and hedgerow around the boundaries of the site.*

Principle of development

The site lies outside the development boundary for Bodelwyddan where development is not permitted, unless there are exceptional circumstances. Such exceptional circumstances are detailed in the adopted Local Development Plan and relate to dwellings being permitted outside of development boundaries on non-allocated sites where it is clearly demonstrated that the development would meet an identified need for affordable housing.

The LDP provides the rational basis for decisions in accordance with the presumption in favour of sustainable development as set out in Planning Policy Wales (2021). The principle that the countryside should be protected for its intrinsic sake and the need to promote a resource-efficient and climate change resilient settlement pattern that minimises land-take is one of the Well-being of Future Generations (Wales) Act 2015 goals.

PPW states that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.

The main Local Development Plan Policy relevant to the principle of new housing 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. It encourages provision of a range of house sizes, types and tenure to reflect local need and demand and the Local Housing Market Assessment (2019).

In considering the relevant 'exceptions policy' (Policy BSC8 - Rural Exception Sites) within the Local Development Plan, it is noted that the policy contains strict criteria which must all be satisfied in order for housing development proposals outside of development boundaries to be acceptable. Policy BSC 8 states that:

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.

In consideration of the above tests, it is considered that the proposal is acceptable and is supported by the Strategic Housing Officer as set out in the Housing Market Assessment.

Affordable Housing Need

The LHMA identifies that 55% of all households in the Bodelwyddan and Borders HMA are unable to purchase or rent a property on the open market.

The proposal site lies outside of the development boundary where only affordable housing is permitted. There is a clear evidenced need for affordable housing in the Bodelwyddan area and the proposal seeks to meet this identified housing need in the housing mix proposed.

Best and Most Versatile Agricultural Land

The site is identified as being Grade 3a agricultural land which is classified as Best and Most Versatile (BMV). Planning Policy Wales seeks to protect BMV and states "land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations". The supporting information however, provides no assessment of other potential sites of lower grade in support of the application and the proposal has considered to be contrary to national policy in the absence of any such evidence. To state that the need for affordable housing out weighs the value of BMV land without an assessment of alternative sites does not comply with national policy.

Open space

LDP Policy BSC 11 requires new developments to provide open space in accordance with the County's minimum standard of 2.4 hectares per 1000 population. On the basis of 31 dwellings, the following Community Recreational Open Space (CROS) and Children's Play Space (CPA) is required: 1140.8sqm of CROS and 570.4sqm of CPA.

The layout plan provided shows no open space within the site. The land shown as an attenuation pond is not considered appropriate as open space and the other areas are considered to form amenity land rather than useable open space. SPG Planning Obligations sets thresholds for on-site provision of 30 units for children's play space and 200 units for outdoor sport provision. This development is for 31 units but given the proximity of both sports and children's play provision adjacent to the community centre it is considered that the open space requirement could be best met via a commuted sum.

*Based on 31 units and no on-site provision, a commuted sum of **£38,353.70** would be payable to meet the open space requirements from this proposal. The open space calculation spreadsheet is attached to this response.*

Detailed design /scale/ layout / appearance

The trees and hedgerow around the boundaries of the site should be protected and enhanced. The trees may provide habitat for nesting birds and roosts for bats, and net biodiversity benefit should be demonstrated by the applicant. A green infrastructure statement is also required to support the application following revisions to Chapter 6 of Planning Policy Wales 11.

Parking

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. The Council's Parking Standards SPG provides guidance on the maximum parking standards for different types of development and the application must be in accordance with this SPG.

Adequate provision for cycling and pedestrians should also be facilitated within the site, including linkages into and out of the site.

Education

*The Planning Obligations SPG considers the key corporate priority to modernise education including how education infrastructure is an integral part of new residential development and has a crucial role to play in achieving and maintaining sustainable communities. The proposed development (based on the calculations for the Planning Obligations SPG) will require 7 new primary school pupil places and 5 secondary school pupil places. At present there is insufficient capacity at the local primary school in the area therefore a planning contribution of up to **£8,000** would be payable. There is sufficient capacity in the local secondary school and no contribution would currently be required in respect of this. However please be advised that school roll information changes frequently.*

Conclusion

In conclusion it is considered that the proposal does meet the relevant policy requirements in the adopted LDP and is supported. Affordable housing outside of development boundaries is supported where clear evidence of need is provided.

Re consultation Response following the submission of additional information: -

Strategic Housing & Policy Officer

Best and Most Versatile Agricultural Land

The site is identified as being Grade 3a agricultural land which is classified as Best and Most Versatile (BMV). Planning Policy Wales seeks to protect BMV and states "land in grades 1,2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations".

The additional information submitted, provides a reasonable assessment of other potential sites of lower grade in support of the application and is considered to be acceptable.

Open space

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Education

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Conclusion

In conclusion it is considered that the proposal does meet the relevant policy requirements in the adopted LDP and is supported. Affordable housing outside of development boundaries is supported where clear evidence of need is provided.

Property/Estates Section:

No objections subject to amendment of application site boundary abutting the nearby Council owned dwellings

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mike & Tricia White, 36 Bryn Morfa, Bodelwyddan
Allan Nicol, 16 Bryn Morfa, Bodelwyddan
Joan & Ted Reece, 33 Bryn Morfa Bodelwyddan
Sean Slater, 32 Bryn Morfa, Bodelwyddan Peter Ford, 11 Bryn Morfa, Bodelwyddan
Saul & Maryam Page, 35 Bryn morfa, Bodelwyddan.
Maureen Roberts, 8 Bryn Morfa, Bodelwyddan Rebecca Emma-Jane Downs, 5 Bryn Dedwydd, Bodelwyddan
Anji Boseley, 19 Bryn Morfa Bodelwyddan
Rhiannon Dobbie, 7 Bryn Morfa, Bodelwyddan Josh Johnson, 26 Bryn Morfa, Bodelwyddan Natalie & Glyn Jones, 27 Bryn Morfa, Bodelwyddan
Julie Slater, 32 Bryn Morfa, Bodelwyddan
John Paul Handley, 24 Bryn Morfa, Bodelwyddan Laura Parry, 39 Bryn Morfa, Bodelwyddan
Laurence Parry, 39 Bryn Morfa, Bodelwyddan,
Richard Davies, 12 Bryn Morfa, Bodelwyddan
Aled Davies, 12 Bryn Morfa, Bodelwyddan

Angela Wing, 6 Ronaldsway, Bodelwyddan
Scott Clark, 17 Bryn Morfa, Bodelwyddan
Darren Blazier, 11 Bryn Dedwydd, Bodelwyddan

Summary of planning based representations in objection:

Highway Concerns:

Bryn Morfa is a narrow cul-de-sac and was not designed as a through road for a large amount of traffic; the road is narrow and cars have to park half on the pavement so that other cars can get past which causes problems for pedestrians who have to walk on the road to get past; already problems getting out of drives; bends on Bryn Morfa make it difficult for residents to exit properties as it is; increased traffic flow resulting in increased pollution; lack of parking which already exists; opening up Bryn Morfa as a thoroughfare will put additional pressure on the main route through Bodelwyddan from the A55 to Kinmel Bay; Ronaldsway is the most active road through the village and already a bottleneck the proposal would aggravate congestion; The extra traffic entering and exiting Bryn Morfa from Ronaldsway presents an additional hazard to pedestrians with many young families living in the area; the entrance to Bryn Morfa is far too close to a blind bend coming up from Kinmel Bay to safely take a considerable increase in traffic; demolition of one dwelling to form an access should not be accepted; site traffic would cause serious disruption; lack of connectivity to allotments/playing fields; not suitable for emergency vehicles; potential impact on public transport; detrimental impact on children walking to school from increased traffic on residential roads;

Principle

The revised LDP includes a number of sites for building developments; there is currently a large allocation of homes designated for the area included in the Key Strategic Site; loss of agricultural land; permission has already been given for 108 houses opposite the hospital; Bodelwyddan has been hugely developed over the years with a loss of green space.

Education

Bodelwyddan School is currently over capacity; big impact on local schools

Impact on local wildlife, trees:

Trees and hedges on the site with many wild animals, fauna and insects which should be preserved; Removal of green space which is home to a variety of wildlife in the area; The field is a valuable home to wildlife and should not be lost.

Residential amenity impacts on Bryn Morfa Residents

Currently enjoys no through traffic which provides security to the street from strangers; general disruption caused by construction vehicles and heavy plant machinery and very disturbing for the residents; noise and dust pollution; peace and tranquility lost; increased footfall through the street from people who are not residents of Bryn Morfa; large construction traffic poses dangers to these residents as well as dust, rubbish and noise; too many houses for the size of the field with inadequate spacing

Drainage/flood risk

Water logged ground; site already floods and hold water; the pumphouse is already struggling to cope as evidenced by the breakdowns; further development can only exacerbate the existing problem; concerned about increased run-off water from the new build, the development field regularly floods and holds water, houses on Bryn Morfa already struggle with standing water and we will be at increased risk of flooding.

Welsh language

The proposal will further dilute the percentage of native Welsh speakers in the village.

General Comments

No doctors, dentist, school capacity in the area.

EXPIRY DATE OF APPLICATION: 17/07/2024

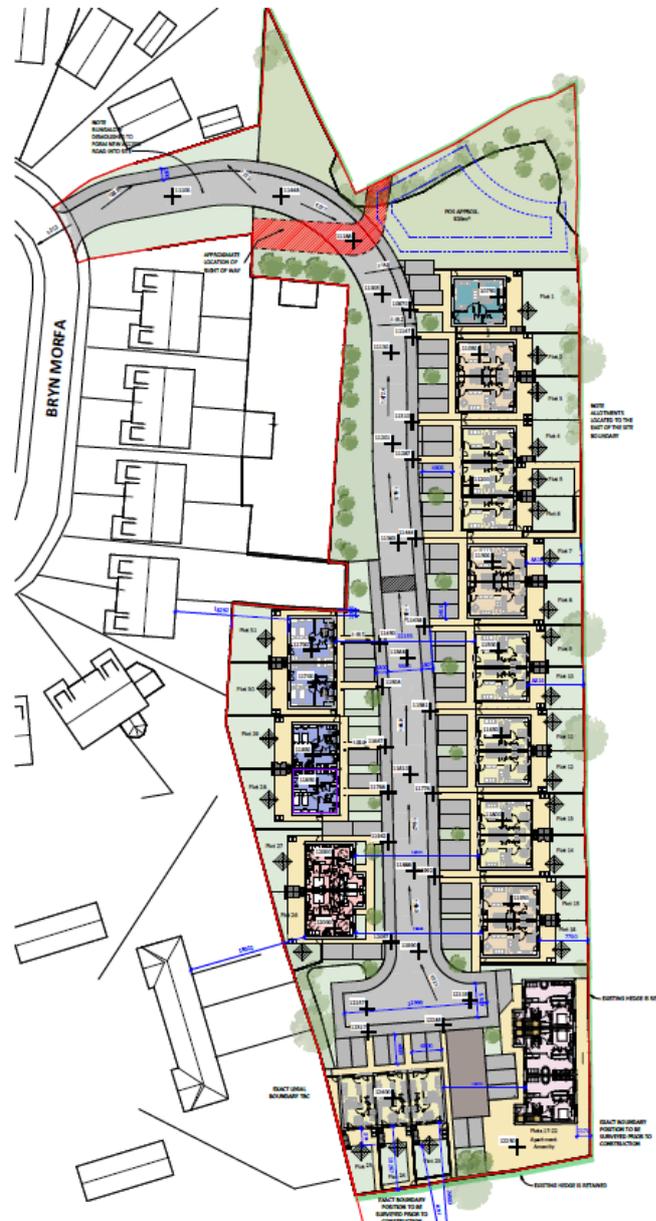
PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for the demolition of a dwelling and erection of 31 new affordable dwellings including new vehicular access, internal access road and associated works at land at Bryn Morfa, Bodelwyddan.
- 1.1.2 The proposal is to form a vehicular access into the site by demolishing the detached bungalow at 22 Bryn Morfa and forming a new vehicular access off Bryn Morfa, which is a residential estate.
- 1.1.3 31 affordable dwellings are shown with 19 houses, 6 bungalows and 6 apartments including 6 different house types that meet Welsh Development Quality Requirements (2021). The proposal would provide: -
 - * 6 no. 1 bed houses
 - * 4 no. 1 bed bungalows
 - * 2 no. 2 bed bungalows
 - * 12 no. 2 bed houses
 - * 6 no. 3 bed houses
 - * 1 no. 4bed house
- 1.1.4 The properties would be constructed with brick and render, with slate roofs and solar PV's are shown on west sloping roof planes.
- 1.1.5 A new internal estate road with pedestrian footpaths is proposed with parking spaces provided for each dwelling.
- 1.1.6 To the north of the site an area of approximately 920sqm shown as open space is proposed and is intended to be utilised for Sustainable Drainage however due to its function the proposal also includes a commuted sum.
- 1.1.7 Foul drainage is shown to connect to the existing public system. Surface water drainage proposals are shown to discharge surface water runoff into a land drain.
- 1.1.8 The layout seeks to retain the majority of the existing boundary hedgerows with the Category A Oak tree retained within the open space area to the north, and other Category B trees along the boundaries also retained. Supplementary and additional hedgerow planting is proposed along with new tree, shrub and wildflower planting throughout the site.

1.1.9 The proposed site layout is shown on the plan extract below: -



1.1.10 Some example of the house types are shown below: -

1 bed – 2 person bungalow



FRONT



FRONT.

2bed – 4 person house



FRONT - BRICK



FRONT - RENDER

4 bed – 7 person house

BRICK FRONT
SCALE: 1:100



RENDER FRONT
SCALE: 1:100



1.2 Other relevant information/supporting documents in the application

1.2.1 In addition to the proposed plans, the following documents have been submitted with the application:

- Design and Access Statement
- Planning Statement
- Pre-Application Consultation Report
- Flood Risk Assessment and Drainage Plans
- Community and Linguistic Impact Assessment
- Arboricultural Appraisal
- Transport Statement, Travel Plan and Stage 1 Road Safety Audit, Highways Audit & Audits response
- Noise Assessment
- Odour Assessment
- Sequential Assessment Best and Most Versatile Agricultural Land
- Hard and soft landscaping plans including planting schedules
- Green Infrastructure Statement
- Ecological Surveys
- Precautionary Working Method Statement
- Lighting Strategy
- Landscape and Ecological Management Plan

1.3 Description of site and surroundings

- 1.3.1 The site consists of approximately 0.82 hectares of former agricultural land located to the east of existing dwellings on Bryn Morfa, Bryn Dedwydd and Morfa View in Bodelwyddan.
- 1.3.2 The site is overgrown and relatively flat with hedges and trees forming the main boundaries of the site.
- 1.3.3 To the rear of 25 Bryn Morfa and adjacent to the proposed vehicular access into the site to the north-eastern site boundary is a pumping station.
- 1.3.4 To the east of the site is a large area of open space which consists of community allotments and community gardens, amenity space with a playing field and children's play space. The community hall is located further south and a sewage treatment works also located within the overall space.
- 1.3.5 To the north of the site is open countryside.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site is located outside of the Bodelwyddan development boundary established by the LDP.
- 1.4.2 To the west of the site is allocated public open space (Policy BSC 11).
- 1.4.3 The site is comprised of approximately 25% Grade 3a and 75% 3b Agricultural Land.

1.5 Relevant planning history

- 1.5.1 Planning permission was refused in January 2022 for *Demolition of dwelling and erection of 28 new dwellings including new vehicular access, internal access road and associated works*.
- 1.5.2 The proposal was for open market dwellings with 10% affordable provision offered.

1.6 Developments/changes since the original submission

- 1.6.1 Additional information has been submitted in relation to the agricultural use of the land, highway, lighting and ecological information along with a Green Infrastructure Statement and amended landscaping details and layout plan to address some detail and ownership issues.

1.7 Other relevant background information

- 1.7.1 None

2. **DETAILS OF PLANNING HISTORY:**

- 2.1 40/2021/0730/PF Demolition of dwelling and erection of 28 new dwellings including new vehicular access, internal access road and associated works. REFUSED 21st January 2022 for the following reasons: -

The application site lies outside of the development boundary of Bodelwyddan, where provision of new dwellings is not permitted except for local need affordable housing development which may be permissible as an exception to normal policy where it is in compliance with Policy BSC8 of the Local Development Plan. In the opinion of the Local Planning Authority, the proposal for 28 dwellings outside of the development boundary with a provision of 10% affordable housing, fails to demonstrate that the proposal complies with the affordable housing exception policies. The proposal is therefore in conflict with Policies BSC 4 and BSC 8 of the Local Development Plan, advice as contained in the Affordable Housing Supplementary Planning Guidance Note and Planning Policy Wales (Edition 11).

The development is proposed on grade 3a and 3b quality agricultural land, which Planning Policy

Wales refers to as the 'best and most versatile', and it is the opinion of the Local Planning Authority that the proposal has not satisfactorily demonstrated there is an overriding need for its development, or that alternative lower grade agricultural or previously developed land is not available. The proposal is therefore considered contrary to the advice and guidance contained in Planning Policy Wales (Edition 11, February 2020).

It is the opinion of the Local Planning Authority that the proposed dwellings at plots 22 to 28 are cramped up against the rear site boundary which adjoins the rear gardens of existing residential properties fronting Bryn Morfa and Bryn Dedwydd. The rear elevations of the proposed properties would therefore overlook the rear garden spaces of the adjoining properties and adversely affect the enjoyment of the private garden area of the existing neighbouring dwellings, representing an unacceptable loss of residential amenity. The proposal is therefore considered to be in conflict with the guidance within Supplementary Planning Guidance Note 'Residential Development'.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy RD5 – The Welsh language and the social and cultural fabric of communities

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy BSC8 – Rural exception sites

Policy BSC11 – Recreation and open space

Policy VOE5 – Conservation of natural resources

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Affordable Housing

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Recreational Public Open Space

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note: Residential Space Standards

Supplementary Planning Guidance Note: Trees & Landscaping

Government Policy / Guidance

Planning Policy Wales (Edition 12, 2024)

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes

TAN 2 Planning and Affordable Housing (2006)

TAN 5 Nature Conservation and Planning (2009)

TAN 11 Noise (1997)

TAN 12 Design (2016)

TAN 15 Development and Flood Risk (2004)

TAN 16 Sport, Recreation and Open Space (2009)

TAN 18 Transport (2007)

TAN 20 Planning and the Welsh Language (2017)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further states that material considerations 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales (Edition 12, 2024) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 12) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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 Loss of best and most versatile agricultural land
- 4.1.3 Visual amenity
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)
- 4.1.8 Open Space
- 4.1.9 Education
- 4.1.10 Noise & Odour
- 4.1.11 Impact on Welsh Language and Social and Cultural Fabric

4.2 In relation to the main planning considerations:

4.2.1 Principle

The LDP provides the rational basis for decisions in accordance with the presumption in favour of sustainable development as set out in Planning Policy Wales (PPW, Edition 12). The principle that the countryside should be protected for its intrinsic sake and the need to promote a resource-efficient and climate change resilient settlement pattern that minimises land-take is one of the Well-being of Future Generations (Wales) Act 2015 goals.

PPW 12 states that development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.

The main Local Development Plan Policy relevant to the principle of new housing 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. It encourages provision of a range of house sizes, types and tenure to reflect local need and demand and the Local Housing market assessment.

The site lies outside the development boundary for Bodelwyddan where development is not permitted unless there are exceptional circumstances. Such exceptional circumstances are detailed in the LDP Policy BSC 8 and relate to dwellings being permitted outside of development boundaries on non-allocated sites where it is clearly demonstrated that the development would meet a clearly identified need for affordable housing.

Representations have been raised in relation to the principle of the proposal and the suitability of the site for housing.

The proposal is for 31 dwellings located outside the development boundary and the proposed dwellings are all to be 'affordable'; the applicant is Wales & West Housing Association.

Policy BSC 8 states:-

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.

The applicant's case is based on the under-delivery of housing in Bodelwyddan, shortfall in housing delivery over the plan period as well as the over-riding need for affordable housing.

The Strategic Housing and Policy Officer has been consulted and has considered the justification submitted by the applicants. In consideration of the tests in Policy BSC 8, it is considered that the proposal is acceptable and is supported by the Local Housing Market Assessment (LHMA).

The LHMA identifies that 55% of all households in the Bodelwyddan and Borders Housing Market Assessment are unable to purchase or rent a property on the open market.

The proposal site lies outside of the development boundary where only affordable housing is permitted. There is a clear evidenced need for affordable housing in the Bodelwyddan area and the proposal seeks to meet this identified housing need in the housing mix proposed. The type and size of the proposed dwellings is consistent with the waiting list and census data information the Council has for the area, which advises that smaller properties are required due to the prevalence of smaller households.

The site is located on the edge of the Bodelwyddan development boundary where a range of local services are located, so the site is considered to be sustainably located.

The application is for 31 dwellings and 100% affordable housing which exceeds the recommended threshold of 10% of the number of dwellings on a development in excess of 10 units under Policy BSC4. The need for affordable housing is however well established throughout Denbighshire, and is a material consideration to be afforded significant weight.

In conclusion, it is considered that the proposal meets Policy BSC 8 in the LDP and meets the exception site criteria set out in the policy. The principle of a 100% affordable scheme of this scale in this location is therefore considered acceptable in this instance.

4.2.2 Loss of best and most versatile agricultural land

PPW 12 obliges weight to be given to protecting land of grades 1, 2, and 3a quality in the Agricultural Land Classification (ALC). PPW notes this land is considered to be the best and most versatile and justifies conservation as a finite resource for the future. It indicates that land of this quality should only be developed if there is an overriding need for the development, and either previously developed land or land of a lower grade is available, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

Factually the site is made up of 25% grade 3a agricultural land, and 75% grade 3b agricultural land. The field itself is approximately 0.77ha (7700 sqm), and so the Grade 3a land is approximately 2000sqm, and the Grade 3b land is approximately 5700sqm.

Representations have been raised in relation to the loss of agricultural land, and the Strategic Housing and Policy Officer initially queried why the supporting information

provided no assessment of other potential sites of lower grade in support of the application.

The applicant has since submitted a Sequential Assessment of Best and Most Versatile Agricultural Land to address the policy query raised. The additional information submitted provides a reasonable assessment of other potential sites of lower grade in support of the application and is considered to adequately address the issue of Best and Most Versatile Agricultural land, and due to the overriding need for affordable housing in the Bodelwyddan area, the loss of 3a agricultural land is considered to be justified in this instance.

4.2.3 Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

PPW 12 states '*All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.*'

The site is an overgrown former agricultural field on the edge of the development boundary of Bodelwyddan, with housing developments to the west and south.

The proposed development would comprise a mix of bungalows on the western side of the site backing on to Bryn Morfa and houses are shown on the opposite side of the site. The properties would comprise a mix of terrace, semi-detached and detached single and two storey properties with a mix of brick and rendered walls with pitched slate roofs.

The site is outside the development boundary however it is acknowledged that it is enclosed on 2 sides by existing built development and its development would not appear as an illogical encroachment into open countryside. The development would appear as an extension to the housing estates to west/ south, and accordingly the proposal would not be out of keeping with the character of the immediate locality.

The layout of the site is typical of a modern housing estate and is reflective of its location and surroundings in terms of the general pattern, density and scale of built development.

The proposal includes an area of open space to the north of the site with existing trees and hedgerows largely being retained with additional supplementary and enhanced planting proposed throughout the site and along existing boundaries. Landscaping details have been submitted along with a Landscaping and Ecology Management Plan.

Having regard to the location, siting, scale, form and landscaping details of the development, subject to the inclusion of conditions Officers do not consider the proposal would give rise to unacceptable impacts on visual amenity.

4.2.4 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

The Residential Design Guidance and the Residential Development SPG offers advice and guidance on the principles to be adopted when designing new residential development.

The Residential Space Standards SPG specifies minimum internal floorspace standards for new developments and requires that 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

Representations from members of the public have raised concerns on residential amenity grounds in general relating to noise, and the peace and tranquility of the area lost by allowing the new development.

In line with PPW 12, as the dwellings are all affordable, they must be designed to meet Welsh Government funding requirements and the applicants (a Registered Social Landlord) design standards. This includes the Welsh Development Quality Requirements (WDQR 2021), Lifetime Homes Design criteria and Secured by Design.

In terms of privacy and overlooking, the Residential Development SPG at 6.41 states *“Extensions and new built houses should not overlook neighbouring houses or gardens. If habitable rooms such as bedrooms, living rooms, studies or kitchens are proposed on the first floor or above, care should be taken to avoid direct overlooking from windows and balconies particularly where the extension is close to the boundary. In some cases such as sloping sites, care should be taken to avoid overlooking from ground floor extensions.”* At 6.43 it states that *“Where a proposed window to a lounge, dining room, bedroom or kitchen will directly face a similar window or a neighbouring property the distance between them should be at least 21 metres in a back to back situation. Where direct overlooking of a lounge, dining room, bedroom or kitchen can be avoided by the positioning of the windows then the distance can be a minimum of 18 metres.”*

Properties on Bryn Morfa, Bryn Dedwydd and Morfa View are predominantly 2 storey houses with some bungalows and dormer bungalows on Bryn Dedwydd. Due to the siting and orientation of the existing residential properties that have a boundary with the site, there is only 1 existing residential property that has a direct ‘back-to-back’ relationship with the application site, and that is between 32 Bryn Morfa and a proposed bungalow at Plot 31. The back-to-back spacing is shown to be 18.292m so in this instance falls short of the recommended 21m metres in the SPG guidance.

The properties have been designed to offer flexibility and adaptability for future years, with open plan kitchens/living/dining rooms designed to offer flexible living space with accessible ground floor bedrooms and shower rooms. Externally car parking spaces are located immediately to the front of the dwellings with pathways around the perimeter of the properties for ease of access for the residents. Without compromising the parking, pathways and amenity space available for the proposed bungalow at plot 31 it is not possible to move the property any further away from the existing property on Bryn Morfa.

This is the only conflict with SPG guidance and without some mitigation, could lead to an unacceptable level of overlooking of plot 31 from the existing property at the rear. In order to mitigate and provide some screening in between the properties, a specific condition is suggested for this particular property to consider appropriate shrub/tree planting along the boundary and/or within the back garden to provide some screening and break up views of the back of the proposed bungalow.

Officers acknowledge that the proposed development would inevitably affect the view/outlook currently enjoyed by occupants of existing residential properties nearby, however a private view is not a material planning consideration. Whilst the amenity of neighbouring properties will be impacted by the proposed development, having regard to the layout and the separation distances proposed and subject to the inclusion of a condition, the level of harm is not considered to be sufficient to justify a refusal on residential amenity grounds.

4.2.5 Ecology

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 (Edition 12, 2024) within Chapter 6 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG 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.

Planning Policy Wales (Edition 12, 2024) sets out that "*planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems*" (Section 6.4.5).

Planning Policy Wales (Edition 12, 2024) also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

Planning Policy Wales (Edition 12, 2024) includes policies relating to green infrastructure, net benefits for biodiversity and the Step-Wise Approach, protection for Sites of Special Scientific Interest (SSSI) and Trees and Woodlands.

- *Green Infrastructure*

A strong emphasis on taking a proactive approach to green infrastructure covering cross boundary considerations, identifying key outputs of green infrastructure assessments and the submission of proportionate green infrastructure statements with planning applications.

- *Net Benefit for Biodiversity and the Step-wise Approach*

Clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. A number of factors will affect the implementation of the step-wise approach, pre-emptive site clearance works should not be undertaken however if this does occur its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place and a net benefit for biodiversity must be achieved from that point.

- *Protection for Sites of Special Scientific Interest (SSSI)*

Protection is strengthened with increased clarity on the position for site management and exemptions for minor development necessary to maintain a 'living landscape.

- *Trees and Woodlands*

A closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right trees in the right place.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The ecological impacts of development should therefore be regarded as a potential material consideration.

Future Wales – The National Plan 2040 (2021) Policy 9 advises that 'In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment'. It is therefore recommended that these are included and form part of any planning application.

There are local representation raising concerns about the loss of wildlife and greenspace.

In relation to impacts on protected species, the conclusions of the assessments are that there would be no adverse impacts subject to certain recommendations and appropriate mitigation. NRW have commented specifically in relation to Great Crested Newts which have been identified as material to the application site, and have advised the following: -

“We have reviewed the following information which has been submitted in support of the application: Ecological Appraisal for Land at Bryn Morfa, Bodelwyddan by PJ Ecological Solutions dated February 2023 and Precautionary Working Method Statement (Common Herpetofauna) for Land at Bryn Morfa, Bodelwyddan by PJ Ecological Solutions dated March 2024.....

The overall proposal has the potential to cause disturbance to great crested newts and/ or loss or damage to their resting places. Great Crested Newts (GCN) and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981. Where GCN are present and a development proposal is likely to contravene the legal protection, they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation.....

We consider that the above reports provide an adequate basis upon which to consider the potential impacts of the scheme on this species and inform the decision-making process. Therefore, we advise that the documents are included in the approved list of plans / documents condition within the decision notice....”

The Councils Ecologist has been consulted and in this instance is not satisfied with the proposals and disagrees that there will be a biodiversity net gain. The development will result in an area of grassland/scrub habitat being destroyed, approximately 12.5% of the development site will be retained as open space for nature and this will be significantly different in structure to the habitat as exists at present on the site.

The proposal is supported by a number of reports including Ecological Appraisals, a Green Infrastructure Statement (GrIS) and a Landscape and Ecological Management Plan for the site. The GrIS acknowledges that it is not possible to avoid the loss or damage to the site but states that it has been minimised wherever possible and recommends mitigation and reasonable avoidance measures: -

“As compensation for the scrub habitats which characterise the site and for the approx. 15m stretch of species-poor hedgerow to be lost, approx. 95m of new native

species-rich hedgerow is to be planted along the site's west boundary. The existing species-poor sections of hedgerow will also be gap-filled and reinforced where thin, using local woody species not-yet present within the hedgerows, to improve their species richness. Additionally, a total of 18 extra heavy standard trees are to be planted around the communal areas of the site.

These habitats will provide direct compensation for those to be lost, as well as amenity screening. Both the hedgerows and trees will provide a direct and indirect source of forage for a variety of invertebrate, wild bird, reptile, amphibian, and small mammal species, as well as nesting opportunities for wild birds, refuge and hibernation opportunities for small mammal species and common herpetofauna, and improved local habitat connectivity for a variety of wildlife. To be of greatest benefit to local wildlife, the native hedgerows will be allowed to develop into tall, thick structures with bushy outgrowths and the trees will be managed with minimal interference.

In addition, as further compensation for the same habitats, the communal green spaces to the front of and opposite the dwellings are to be encouraged to develop as native wildflower meadows. These will provide habitat for a variety of further invertebrate species, as well as a source of direct and indirect forage and refuge opportunities for a variety of wild bird and small mammal species.

Supplementary to the above, no residential development has been proposed across the north of the site, which is to be designated as a 'nature conservation area' and will feature the two attenuation basins associated with the project."

Officers fully acknowledge the concerns of the Councils Ecologist and that extensive areas of grassland/scrub would be lost to the development making it difficult to argue a biodiversity enhancement has been achieved. However, PPW 12 at 6.4.12 states that "*Where biodiversity enhancement proportionate to the scale and nature of the development is not proposed as part of an application, significant weight will be given to its absence, and **unless other significant material considerations indicate otherwise**, it will be necessary to refuse permission*".

In this instance, and having regard to PPW 12, Officers consider that there are other significant material considerations and that is the provision of 31 affordable housing units, in an area where there is a significant need for it. The delivery of housing, and particularly the delivery of affordable housing, remains *the* key Corporate priority for the Council.

In order to develop the site to an acceptable standard to meet all the necessary planning and design, highway and sustainable drainage standards and achieve an attractive and appropriate living environment for future residents with acceptable amenity standards in terms of outlook, garden and parking spaces etc, the extent of grass/scrub land shown to be removed to facilitate the development proposal is unavoidable in this instance.

As stated previously, the proposal layout seeks to retain the majority of the existing boundary hedgerows and trees with additional hedgerow planting proposed along with new tree, shrub and wildflower planting throughout the site, and within the open space/drainage area to the north of the site.

In conclusion on this matter, whilst the proposals are not considered to be fully in line with the advice contained in PPW 12 due to the extent of grassland/scrubland lost without sufficient mitigation and biodiversity enhancements, Officers consider that significant weight should be given in favour of the proposal as it will provide 31 much needed affordable homes in an area where it is high demand and all other aspects of the development proposals are considered acceptable subject to the imposition of conditions.

4.2.6 Drainage (including flooding)

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.

Representations have been received from local residents with a concern that the drainage of the application site is poor and fear it will cause issues locally.

The application is supported by a Drainage and Flood Consequences Assessment which sets out the drainage principles to be adopted for the site.

Foul drainage is shown to connect to the existing public system. Surface water drainage proposals are shown to discharge surface water runoff into a land drain.

Dwr Cymru/ Welsh Water (DCWW) have confirmed there are no objections to the proposed drainage details for the site and have requested the imposition of a standard condition requiring submission of a method statement and risk assessment to ensure their assets on the site are protected.

The Council's Flood Risk Manager has been consulted and raised no objection. Approval will be required from the SUDs Approval Body (SAB) which is a completely separate process to planning and is covered by drainage legislation. SAB will control and will only be approved if the drainage details are acceptable and kept below greenfield run off rates. The development could not proceed without SAB first being in place. It is stressed that these regulatory controls are parallel to and outside of the planning process.

Given the comments of the technical consultees, it is considered reasonable to assume that an acceptable drainage scheme can be achieved on the site and delivered through the SuDS Approval Body process. The proposals are therefore considered acceptable in relation to drainage.

4.2.7 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require 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. The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments

These policies reflect general principles set out in Planning Policy Wales (PPW 11) and TAN 18 – Transport, in support of sustainable development.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

There are a number of local representations and concerns from the Town Council concerning the highway impacts of the proposal particularly regarding the nature of

Bryn Morfa and Ronaldsway and the impact additional traffic will have on the area.

The Highway Officer's response on the application is set out in full in the Consultation Responses section of the report. It refers to a range of issues relating to the application including the capacity of the existing network, accessibility, the detailing of the site access, aspects of the site layout, and parking matters. The main points of relevance are:

Capacity of Existing Network

The site is situated to the east of an established residential area which is served of Bryn Morfa, a cul-de-sac located to the northwest of Bodelwyddan. The site will be accessed directly from Bryn Morfa, which is a cul-de-sac serving approximately forty residential properties. The existing highway is approximately 6m wide, has footways on both sides, street lighting and is subject to a 20mph speed limit.

The proposed development is for the provision of 31 residential units on a site located to the east of existing residential properties situated on Bryn Morfa. Access to the site will be via a new highway link served directly from Bryn Morfa.

Figures for the peak hour anticipated traffic volume from the proposed development has been illustrated in the Transport Statement. The peak am and pm inflows to the development have been calculated as 4 and 15 vehicles respectively and peak am and pm outflows as been 15 and 7 respectively. It is felt that the nature and scale of the proposed development is unlikely to produce a detrimental volume of traffic, and subsequently their impact on the operational capability of the adjacent highway network.

Having regard to the scale of the proposed development, the existing highways network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highways network in terms of capacity.

Accessibility

A detailed assessment of the accessibility of the site by non-car modes of transport has been provided in the Transport Statement. As summarised in the statement, the site is considered to be well served by all major non-car modes of transport.

Having regard to the location of the existing site and existing arrangements it is considered that the proposals are acceptable in terms of accessibility and the policy requirements identified above.

Site Access

Technical Advice Note 18: Transport (TAN 18) specifies at 5.11 that new junctions must have adequate visibility and identifies Annex B as providing further advice on required standards.

The proposed site access arrangements shown on plan SCP/190490/SK01 – REV C, demonstrate compliance with the visibility standards set out in Annex B TAN 18 and are therefore considered to be acceptable.

Site Layout (including roads, pavements, manoeuvring, lighting etc.)

The proposed site has a main internal estate road, measuring 5.5m in width along with the provision of 1.8m footways/service margins throughout the site. In order to demonstrate that the site can be serviced sufficiently, swept path analysis of a large 4-axle refuse vehicle has been undertaken at the site access and at the turning head within the site. The swept path analysis demonstrates that a vehicle of this size can enter the site via the site access, turn within the site at appropriate points, and exit the site in a forward gear.

Having regard to the details provided and guidance identified above, it is considered that the on-site highways arrangements are acceptable.

In conclusion on highway matters, having regard to the detailed assessments above,

taking into consideration the capacity of the existing highway network, accessibility, site access and site layout, Highways Officers see no reason to object to the proposed development, subject to appropriate conditional controls.

4.2.8 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 specifies that all new housing developments should make adequate provision for recreation and open space.

Table 4 in the Open Space and Planning Obligations SPGs set out thresholds for on-site provision and financial contributions. It specifies that for schemes of 1 – 30 dwellings, open space obligations should be met through financial contributions rather than onsite provision, however 5.4.9 of the SPG does state that the thresholds are indicative, and onsite provision for sites of less than 30 will be considered on their merits.

An Open Space Assessment and Audit Report has been completed by the Council and provides the evidence base for Policy BSC 11. The report assesses the quantity, quality and accessibility of existing open spaces in the County on a community area basis with some additional information on an electoral ward basis.

On the basis of 31 dwellings, the following Community Recreational Open Space (CROS) and Children's Play Space (CPA) is required.

The screenshot shows a form with the following fields and values:

Total Number of Units	31
TOTAL OCCUPANCY	71.3
TOTAL OPEN SPACE REQUIREMENT	1711.2 Square metres
CROS	1140.8 square metres
Children's	570.4 square metres

A red box at the top of the form contains the text: "Insert the appropriate number of dwellings into the box shaded red."

The layout plan provided shows an area of open space within the site along the northern boundary, however the land is shown as an attenuation basin and is not considered to be of an appropriate design to be used as open space, other areas are considered to form amenity land rather than useable open space.

Whilst this development exceeds the threshold of 30 dwellings which requires on-site provision, it is only 1 dwelling above the threshold and given the proximity of both sports and children's play provision adjacent to the community centre it is considered that the open space requirement would be best met via a commuted sum payment.

Based on 31 units with no on-site provision, a commuted sum of £38,353.70 would be payable to meet the open space requirements from this proposal.

4.2.9 Education

Objective 12 of Chapter 4 of the Local Development Plan identifies that the Plan will ensure that an adequate level of community infrastructure (including schools) will be provided alongside new developments. Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development.

The Education Officer has confirmed that based on the latest school roll information available for Ysgol Glan Clwyd (nearest High School) there is sufficient capacity to accommodate any additional pupils arising from the development. Based on the latest school roll information for Ysgol y Faenol (nearest Primary School) a financial contribution of £56,000 will be required to accommodate the additional pupils in the local primary school.

Officers therefore conclude that there is insufficient capacity within the local primary school to accommodate the development, and accordingly a commuted sum is required in this instance and should be secured by a Section 106 agreement.

4.2.10 Noise and Odour

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

Due to the proximity of the site to the sewage works and pumping station, DCWW and the Councils Pollution Control Officer have advised that the impact of noise and odour should be considered. The application has been submitted with a Noise Impact Assessment and an Odour Risk Assessment which has been assessed by the Councils Pollution Control Officer.

The Noise Impact Assessment indicates the proposed residential dwellings would not be subject to noise disturbance from the sewage treatment works due to the background noise levels in the area being higher than the noise emitted by the facility.

The Odour Risk Assessment surveyed known odour producing facilities nearby which is the Sewage and Stormwater Pumping Station along with other local odour sources (ie Pet food factory off Abergele Road) and concludes that they should not have a significant impact on the proposed residential dwellings and are shown to have 'negligible to slight' adverse odour effects.

The Councils Pollution Control Officer has reviewed the reports and is satisfied that there would be no unacceptable impact upon the amenity of the proposed dwellings.

4.2.11 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 PPW 12, TAN 20 and LDP Policy RD5.

TAN 20 provides the most up to date guidance on the consideration of the Welsh Language.

The site lies outside development boundaries and is therefore a windfall site for the purposes of TAN20.

The application has been submitted with a Community and Linguistic Impact Assessment (CLIA). The approach to the consideration of the effects undertaken in

the CLIA has been informed by TAN 20 - Planning and the Welsh Language (2017), and the Council's Supplementary Planning Guidance (SPG) note - Planning and the Welsh Language.

The assessment methodology uses the checklist in the Council's SPG note and recorded a positive, negative or neutral score reflecting the perceived impact of the development against the five sets of issues: Population, quality of life, the economy, infrastructure and the social and cultural life of the community.

The assessment concluded that in respect of the five key areas, positive and neutral impacts will be realised and that some mitigation measures are required to achieve this, such as use of Welsh place names. A planning condition is suggested that would require the submission of a strategy with sets out mitigation measures to reduce adverse linguistic, social and cultural effects.

Other matters

Impacts on the capacity of local Health Care infrastructure

The Town Council along with some local representations have raised concerns in relation to the capacity of local health care infrastructure in the area.

The LDP focusses on affordable housing, school capacity and open space provision in terms of infrastructure contributions from housing developments in the County. Improvements to NHS facilities are not matters for Denbighshire County Council to resolve via the planning process unless we are provided with clear evidence of such a need.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Government's well-being objective of supporting safe, cohesive and resilient communities. 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.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. A public authority must, in the exercise of its functions, have due regard to advancing equality.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The site lies outside of the development boundary of Bodelwyddan as defined in the adopted Denbighshire Local Development Plan (LDP)
- 5.2 The proposal is a 100% affordable scheme and complies with Policy BSC 8, meeting the policy tests to be considered a Rural Exceptions site.
- 5.3 An objection has been received from Bodelwyddan Town Council and a number of objections from members of the public raising a number of concerns on grounds of principle, residential amenity, drainage, highway safety and increased traffic and ecological impacts.
- 5.4 The Highways Officer and other specialist consultees have raised no objection to the proposal subject to the inclusion of conditions.
- 5.5 The County Ecologist has objected to the proposal due to the loss of existing grassland/scrub habitat which would be destroyed.
- 5.6 Finally in conclusion, given the scale of need for affordable housing in the Bodelwyddan area, Officers consider the opportunity to deliver 31 affordable homes in a sustainable location on land which abuts the Bodelwyddan development boundary would outweigh the ecological concerns in this instance.
- 5.7 It is therefore recommended that Members resolve to grant planning permission subject to:-

- A. Completion of a Section 106 Obligation to secure an open space contribution of £38,353.70 and an Education contribution of £56,000.

The precise wording of the agreement would be a matter for the legal officer to finalise. In the event of failure to complete the agreement within 12 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time. The Certificate of Decision would not be released until the completion of the agreement.

- B. Compliance with the following conditions:

The Certificate of Decision would not be released until the completion of the Section 106 Obligation.

RECOMMENDATION: GRANT - subject to the following conditions:

1. The development to which this permission relates shall be begun no later than 5 years from date of S106 completion
2. 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) Location Plan (Drawing No. P1101_BMB-SAL-A1-ZZ-M3-A-0001 Rev P1) - Received 5 September 2023
 - (ii) Existing Site Plan (Drawing No. P1101_BMB-SAL-A1-ZZ-M3-A-0002 Rev P1) - Received 5 September 2023
 - (iii) Proposed Site Plan (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0003 Rev P11) - Received 14 May 2024
 - (iv) 2B4P House Type (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0011 Rev P3) - Received 5 September 2023
 - (v) 3B5P House Type (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0012 Rev P3) - Received 5 September 2023
 - (vi) 4B7P House Type (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0013 Rev P3) - Received 5 September 2023

(vii) 1B2P Bungalow Type (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0014 Rev P3) - Received 5 September 2023

(viii) 1B2P Walkup Type (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0015 Rev P2) - Received 5 September 2023

(ix) 2B3P Bungalow Type (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0017 Rev P1) - Received 5 September 2023

(x) Street Elevations (Drawing No. P1101_BMB-SAL-A1-ZZ-DR-A-0005 Rev P2) - Received 5 September 2023

(xi) Visibility Splays & Forward Visibility (Drawing No. SCP-190490-ATR01 Rev C) - Received 5 September 2023

(xii) Visibility Splays & Forward Visibility (Drawing No. SCP-190490-SK01 Rev C) - Received 5 September 2023

(xiii) Adoptable Foul and Surface Water Drainage Layout (Drawing No. 12188-2000-R00) - Received 5 September 2023

(xiv) Attenuation Basin General Arrangement (Drawing No. 12188-2100-R00) - Received 5 September 2023

(xv) Foul and Surface Water Longitudinal Sections (Drawing No. 12188-2200-R00) - Received 5 September 2023

(xvi) Hydro-Brake Flow Control Chamber Details (Drawing No. 12188-2400-R00) - Received 5 September 2023

(xvii) Pipe Embedment Detail (Drawing No. 12188-2401-R00) - Received 5 September 2023

(xviii) Manhole Chamber F7 Connection to Existing Sewer (Drawing No. 12188-2402-R00) - Received 5 September 2023

(xix) Construction Details (Drawing No. 12188-2403-R00) - Received 5 September 2023

(xx) Foul and Surface Water Chamber Schedule (Drawing No. 12188-2410-R00) - Received 5 September 2023

(xxi) Design and Access Statement (Ref: BMB-SAL-XX-XX-RP-A-0004_DAS, Saer Architects) - Received 5 September 2023

(xxii) Supporting Planning Statement (Civitas Planning Limited) - Received 5 September 2023

(xxiii) Pre-Application Consultation Report (Civitas Planning Limited dated August 2023) - Received 5 September 2023

(xxiv) Community and Linguistic Impact Assessment (Dated July 2023) - Received 5 September 2023

(xxv) Ecological Appraisal (Ver. 2, PJ Ecological Solutions dated February 2023) - Received 5 September 2023

(xxvi) Arboricultural Appraisal (Ref: SC:733, Salopian Consultancy dated 14/02/2023) - Received 5 September 2023

(xxvii) Flood Consequences Assessment (Ref: 12188-FCA-01 Rev 01, Waterco dated 28/10/2021) - Received 5 September 2023

(xxviii) SW Drainage Network (Ver. 6, Waterco dated 08/06/2023) - Received 5 September 2023

(xxix) Transport Statement and Travel Plan (Ref: EEL.7698.R08.001 Rev C, Egniol dated 24/04/2023) - Received 5 September 2023

(xxx) Noise Assessment (Ref: EEL.7698.R03.001 Rev B, Egniol dated 24/02/2023) - Received 5 September 2023

(xxxi) Odour Assessment (Ref: EEL.7698.R03.002 Rev B, Egniol dated 24/02/2023) - Received 5 September 2023

(xxxii) Sequential Assessment Best and Most Versatile Agricultural Land and Appendices (Civitas Planning Ltd dated November 2023) Received 30 November 2023

(xxxiii) Stage 1 Road Safety Audit and Highways Audit & Audits response (Highways Associated Report Ref 2023/ED/2046 dated 15/12/2023) received 3 January 2024

(xxiv) Hard and soft landscaping plan 1 of 2 (Drawing No. 097.01.01 Rev A) Received 8 January 2024

(xxxv) Hard and soft landscaping plan 2 of 2 (Drawing No. 097.01.02 Rev A) Received 8 January 2024

(xxxvi) Planting schedules and outline Specifications for planting (Drawing No. 097.01.03 Rev A) Received 8 January 2024

(xxxvii) Green Infrastructure Statement (PJ Ecological Solutions Version 2 dated March 2024) Received 17 April 2024

(xxxviii)Precautionary Working Method Statement (Common Herpetofauna) (P J Ecological Solutions Version 1 dated March 2024) Received 17 April 2024
(xxxix)Lighting Strategy (P J Ecological Solutions Version 1 dated March 2024) received 17 April 2024
(xl) Landscape and Ecological Management Plan (PJ Ecological Solutions March 2024) received 17 April 2024
(xli)Preliminary Ecological Assessment and Phase 1 of land at Bryn Morfa, Bodelwyddan, Denbighshire (Ecoscope Ltd, July 2019 ref ECO 399) received 19 April 2024
(xlii)Ecological Appraisal V3 (P J Ecological Solutions, December 2019) received 19 April 2024
(xliii) Bat Activity and Bird Assessment Report (P J Ecological Solutions, June 2021) received 19 April 2024

3. No dwelling shall be constructed above finished slab level until the written approval of the Local Planning Authority has been obtained to the details of all the materials and finishes it is proposed to use thereon, including, where relevant, the texture, type and colour of the finish. The development shall be undertaken strictly in accordance with the details approved under this condition.
4. **PRE COMMENCEMENT**
Highways
The development hereby permitted shall not be allowed to commence until the written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:
 - a) the arrangements for the parking of vehicles of site operatives and visitors;
 - b) the location of any construction compound and measures to reinstate the land following completion of the works;
 - c) the hours of site works and deliveries;
If works or deliveries are required outside of approved hours, you must give at least 48 hours notice in writing to the Local Planning Authority advising what works are required, why they cannot be carried out during approved working hours, what mitigation is proposed and the duration of out of hours working.
 - d) the proposed routing of delivery vehicles, and directional signing along public roads where necessary;
 - e) the location of areas designated for the loading, unloading, and storage of plant and materials;
 - f) the proposals for security fencing or hoardings around the site;
 - g) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses;
 - h) measures to minimise noise and disturbance to neighbouring residential properties / properties in the vicinity of the site;
 - i) wheel washing facilities;
 - j) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - k) any proposed external lighting.
 - l) the piling methods, in the event that this form of foundation construction is proposed. If Piling operations are not currently proposed, should unexpected ground conditions be encountered, no piling works shall be carried out without the prior written approval of the Local Planning Authority to the method, location and timing of piling operations, including details of measures to prevent and / or minimise the potential for ground and water pollution, noise and vibration.
 - m) A Communications protocol setting out procedures for dialogue with the community throughout the construction phase and the management of complaints.
5. The highway works to form the site access shall be completed in accordance with the approved plans prior to the occupation of any dwellings on the site.

6. **PRE COMMENCEMENT**
Prior to the commencement of the development, the detailed layout, design, means of traffic calming, street lighting, signing, drainage and construction of the internal estate road/and access to the site, footway links 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. **PRE COMMENCEMENT**
Drainage
No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the public rising main crossing the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced and shall be retained at all times for the duration of the approved operations including the restoration works.
8. The development hereby approved shall be carried out in strict accordance with the recommendations, precautionary working methods and timetable of works contained in the approved Precautionary Working Method Statement (Common Herpetofauna) dated March 2024.
biodiversity enhancement measures set out in the approved Preliminary Ecological Appraisal and Daytime Building Inspection for Bats (Ascerta ref P.1715.22 dated November 2022).
9. The development hereby approved shall be carried out in strict accordance with the Reasonable Avoidance Measures, recommendations and mitigation contained in the approved Ecological Appraisal (Version 3 by PJ Ecological Solutions dated February 2023).
10. No new dwellings shall be erected above slab level until a scheme for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. This shall include provision for roosting bats and nesting birds including the number, location and specification of those features which shall be shown on appropriate plans and shall include a timeframe for their implementation. The development shall be carried out strictly in accordance with the approved details and shall be implemented in full prior following occupation of the dwelling to which it relates.
11. No new external lighting shall be installed unless a detailed external lighting plan is submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid negative impacts on nocturnal wildlife in accordance with the Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment Series.
The lighting shall be implanted as approved and maintained thereafter.
12. Prior to the installation of any boundary fencing, details of all new boundary fencing including proposed positions, design, materials and type of boundary treatment including timing of implementation shall be submitted to and approved in writing by the Local Planning Authority. Access for hedgehogs (at least one 13cm x 13cm opening per garden) must be made at ground level through the fencing used in the gardens of each property, to allow the movement of hedgehogs throughout the site. The development shall be carried out strictly in accordance with these details and shall be implemented in full prior to the occupation of the development.
13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the first unit. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
14. The development hereby approved shall proceed in strict accordance with the details and recommendations contained in Section 3 of the approved Arboricultural Appraisal (Salopian Consultancy, Ref SC:733 dated 14/02/2023).

15. All trees and hedges to be retained (including those adjacent to the site) as part of the development hereby permitted shall be protected during site clearance in accordance with the protection measures within the Arboricultural Appraisal (Salopian Consultancy, Ref SC:733 dated 14/02/2023) or in accordance with an alternative scheme as 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.
16. Notwithstanding the approved landscaping plans, further details of the landscaping details for Plot 31 designed to provide landscape screening in the rear amenity space shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the occupation of the dwelling.
17. **PRE COMMENCEMENT**
Welsh Language and Social and Cultural Fabric
No development shall commence until a strategy setting out mitigation measures to reduce adverse linguistic, social and cultural effects has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with such approved details.

The reasons for the condition are:

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development
3. In the interest of visual amenity
4. 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
5. In the interest of highway safety and residential amenity.
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 the proposed development does not affect the integrity of the public sewerage system in the interests of public health and safety
8. In order to maintain and enhance biodiversity
9. In order to maintain and enhance biodiversity
10. In order to maintain and enhance biodiversity
11. To maintain the favourable conservation status of protected bat species.
12. In the interest of the visual and residential amenity and the biodiversity of the area
13. In the interest of visual amenity and character of the area and preserving ecological interests.
14. In the interest of good arboricultural practice and interests of amenity of the area
15. In the interest of good arboricultural practice and interests of amenity of the area
16. In the interest of residential amenity
17. To protect the Welsh language and the social and cultural fabric of communities.